Historical Development of the New York State High School System

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WALTER JOHN GIFFORD, Ph.D.

Dean and Head of the Department of Education,
State Normal School, Harrisonburg, Va.

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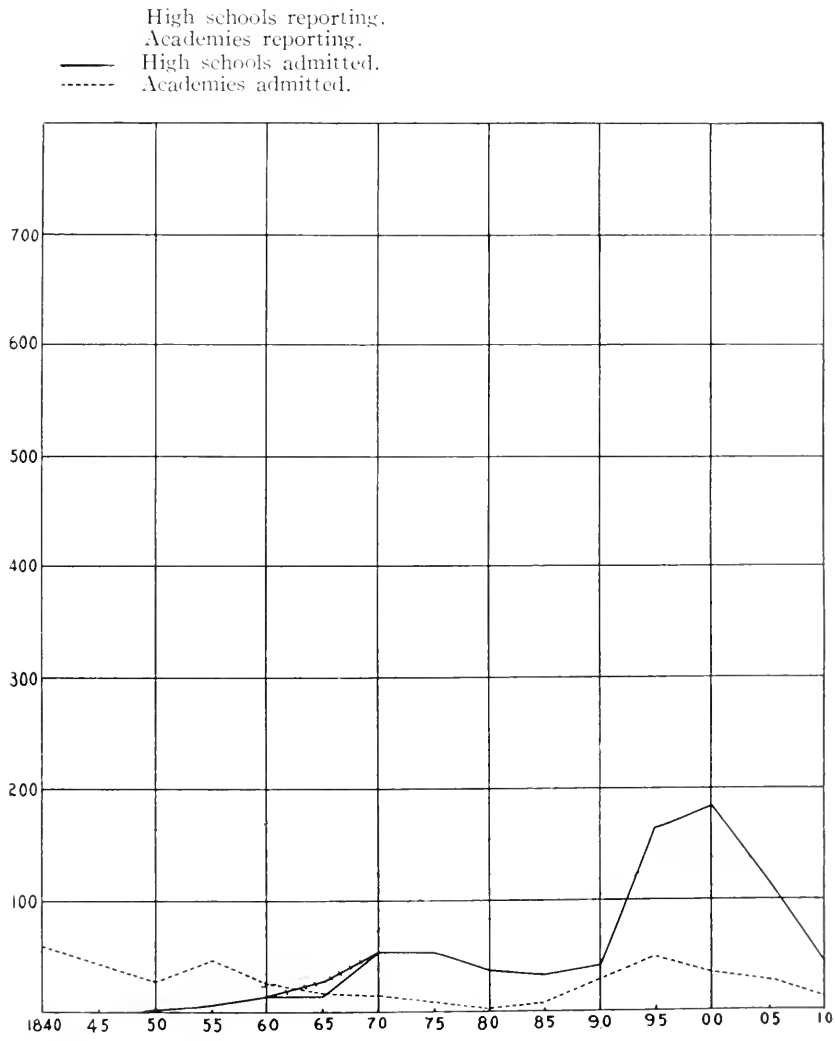
GRAPH FOR TABLE XII.



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FOREWORD

The public high school has developed from uncertain beginnings in the first half of the nineteenth century through a steady but progressively more rapid growth in the latter half of the nineteenth and the early years of the twentieth centuries into a place in the American educational system little less questioned than that of the elementary school. The problems incident to this rapid development are now taxing the best resources of administrators and students of education. The literature of the subject is daily becoming more voluminous, as instanced recently in the fact that a single aspect presented enough material for a bibliographical bulletin of the United States Bureau of Education.[1]

It is probable that there remain few vestiges of the earlier disposition to doubt the legitimacy of the right and obligation of the State to support, by permanent funds, taxation and appropriations, the high school as well as the elementary school, or as to the corresponding right of the State to supervise its activities in some manner. On the other hand, the great variations in the extent and nature of this support and supervision indicate something of the variant views as to the actual and potential functioning of the institution. Moreover numerous other matters, such as the organization and contents of the curriculums or programs of studies, the institutional correlation with the lower and higher schools, and the administration of the social and corporate life of the school, are the occasion for frequent radical proposals of reform and modification.

It would seem therefore that any contribution that might be made in the way of tracing back the historical traditions and precedents of high school practices should be of aid in their present diagnosis. The main source of information in this regard has been the scholarly work of Dr Elmer E. Brown, formerly United States Commissioner of Education, "The Making of our Middle Schools," published in 1902. The pioneer nature of this book, however, made impracticable the utilization of special researches other than careful but sometimes biased accounts of early individual schools. Most later descriptions of the development of American secondary education have been greatly indebted to this work and have in general accepted its main

[1] Bibliography of the Relation of Secondary Schools to Higher Education; Bul., 1914, No. 32, U. S. Bureau of Education.

conclusions.[2] Among these are the following: (1) the development of three consecutive well-defined types of American secondary schools, the Latin grammar school, the academy and the high school; (2) the transition in most states from an early individual or local development of high schools to state systems; and (3) the remarkable growth and diversification of the high school in the last twenty-five years.

Since this general survey was made, only one exhaustive and intensive study has appeared, dealing with a considerable number of schools. This is the monograph of Dr Alexander Inglis, "The Rise of the High School in Massachusetts." Doctor Inglis limited his study largely to the period previous to 1860 and, aside from indicating the progress of legislation in the state, he established conclusively the number of schools founded in that period and the nature of the curriculum. This was made possible by a detailed research through the local town records and reports of school committees which in Massachusetts have been preserved with great care.

In New York, with which this study is concerned, far less attention has until recently been given to the preservation of local records except for the colonial period. The great fire which gutted the Capitol at Albany in 1911 destroyed much valuable and irreplaceable data of a local nature, particularly the catalogs of schools. The number of schools, moreover, was seven times that of the period studied by Inglis in Massachusetts, making such a mode of research as that used by him impracticable. There are on the other hand very full records both of the lower and higher schools in contemporaneous annual reports of the appropriate state officials, the State Superintendent and the Regents of The University of the State of New York. As various educational associations within and without the State began to be formed, especially after the Civil War, the full proceedings of many of these bodies were printed in these reports and form a valuable supplement. In addition, state practice had, previous to the rise of the high school in New York, established the custom of incorporation or formal admission of all higher institutions into the University. This, together with the fact that such admission made the school eligible to a share in the state academic funds, makes the probability slight that a detailed survey

[2] Monroe, Principles of Secondary Education, II, p. 51–68; Inglis, Principles of Secondary Education, V; Johnston, High School Education, III, p. 52–53, 62–66; Brown, The American High School, I.

of local records would considerably change the conclusions of this study. These records were used in the case of a number of schools and were found to check closely with the data in the state reports.

The purposes of this study are principally: (1) the description of the development of schools in the State, and (2) an analysis and evaluation of the workings of the state system into which these were organized. In the former instance it is hoped that additional light may be thrown upon the progress of the high school movement throughout the country and upon the factors that accelerated and retarded that movement. Also it is believed that certain erroneous conceptions as to the data and inferences in these items may be cleared up. In the latter instance, the major interest has been to indicate the main lines of development of what is perhaps the most highly organized and centralized of our state secondary systems of education. Therefore the effort has been made to trace and in some measure to evaluate the various means to an effective state control and direction of high school work, through such agencies as the admission and classification of schools, the distribution of state moneys, examinations and syllabuses in high school studies, annual school reports and state supervision.[3]

The writer is greatly indebted to the New York State Education Department for the use of materials, particularly for the use of the invaluable manuscript minutes of the Board of Regents. He acknowledges with genuine gratitude the constant courtesy and helpfulness of Dr. Henry L. Taylor of that department in connection with the publication. For her untiring assistance in the more detailed work, he owes a special debt to his wife, and for their kindly interest in the problem and its working out, a similar debt to Dr. Paul Monroe and Dr. William H. Kilpatrick. He also wishes to express his appreciation for the sympathetic co-operation — in certain aspects of the study where the two problems overlapped — of Dr. George F. Miller, the author of the Academic System of the State of New York.

[3] Inasmuch as this study was completed in the spring of 1918, the history of developments since 1915 is not included.

PART I

Introduction

The study naturally falls into two parts, the first including the beginnings and establishment of the system, the second, the various features of the state administration of high schools. In the three successive chapters, therefore, are treated the educational developments in New York State prior to 1853, the legal status of the high school and the actual establishment of high schools and their admission into the University.

It is necessary to bear in mind in the approach to this part of the study that there were early developed two parallel and independent state systems of education. That for the elementary schools was called the Department of Common Schools or of Public Instruction and that for the secondary and higher schools, the Regents of The University of the State of New York, usually known as the Regents or Board of Regents. This latter body early acquired and always maintained a peculiar dignity and prestige due to the caliber of the men appointed by the Legislature for the office. However, during the middle of the nineteenth century it showed a definite tendency toward conservatism that was at times inimical to the high school through its favoritism of the academy, and that made the body more or less impotent in securing reforms or extensions of its work.

As the law began to put more responsibility upon the secretary, now a paid officer, and tended to secure better trained men for that work, greater activity was taken on. While in the long run this augured well for the more valuable functioning of the University and the extension of the privileges of secondary education, for the quarter century from 1870 to 1904 there was constant friction between the two state departments. In 1904 unification came, marking as great an epoch in the history of state secondary education as the establishment of the University in 1784 or the passage of the high school (union school) act of 1853.

Chapter 1

Educational Developments in New York Prior to 1853

The comparatively late rise of high schools in New York and their subsequent slow development make it necessary to trace in some detail the historical precedents of this institution and the steps that led up to its appearance.

The first educational institutions of a secondary character that fit into the generally accepted classification, as high schools, are undoubtedly the Lockport Union School and the New York Free Academy both chartered in 1847 and fully established in the years 1848 and 1849 respectively. The practice of special legislation, which had grown up much earlier, was thus carried over into the development of the high school system, each school being founded, not through state compulsion, as under the general laws of Massachusetts, but through local initiative. Once founded, it became a part of the state secondary system upon admission to The University of the State of New York. In 1853 there was passed the union free school act which marks the beginning of general legislation for high schools and which has remained the core of the high school law to the present time.

In general the purposes of the following chapter are: first, to review briefly the colonial education of New York, with particular reference to secondary and public Latin grammar schools; second, to state the leading features in the development of the academy as a quasi-public school, adapting itself in a variety of ways to the needs and demands of growing scientific and democratic interests in the first half of the nineteenth century; and third, to point out those characteristics in the development of common or elementary schools that laid the foundation for the later taking over of the secondary or high school function. The first two of these fields have already been made the subject of careful investigation and advantage has been taken of these results wherever they bear on the present problem.

1 *Education in Colonial New York*

To the Dutch colonists must be given due credit for rather substantial beginnings in public education, both secondary and elementary, within the present limits of the State of New York. While the interests of these pioneers coming out under the charter of the West India Company were predominantly commercial, it appears that their villages, with the

possible exception of two, had established elementary schools prior to the coming of the English.[1] The New Amsterdam School, established by 1638, was known as late as 1670 as the "city school," but by 1674 it had become a church school and has had a continuous existence as such to the present.[2] In the matter of control and support, these colonial schools were maintained as those of the mother country with a curious and intricate intermingling of ecclesiastical and secular authority, largely determined by the Synod of Dort in 1618. All communities were under obligation to provide schools, the church leaving to the local secular officials the support and general administration but reserving to itself the right of examination of the master and the privilege of requiring a certain amount of religious materials in the curriculum. In the New Netherlands there prevailed a highly centralized and autocratic type of government; the West India Company delegated its powers to the lords directors and they in turn to the director general and the council. The outlying villages enjoyed more local autonomy, but often found the haughty Stuyvesant their best asset. As to support, the sources were grants from the company, particularly for the salaries of the masters, provision for the schoolhouse and its maintenance by local excise, tuitions of pupils and, of greatest significance perhaps, the town rates or compulsory subscription which in the case of Bergen appears to have been a school tax at one time.[3]

With the transition to English control came the consequent effort of the conqueror to force his customs and language upon the conquered, and a resultant vigorous opposition by the Dutch which may have fostered the public school tradition in some measure even as it tended to preserve the Dutch language. The schoolmaster remained a semipublic official, performing customarily the duties of church reader and chorister and occasionally those of court secretary and court messenger. The town meeting tended to supplant the earlier autocratic control and, though the licenses must be obtained from the Bishop of London or the colonial governors, there is evidence of a continued school activity which of necessity was modified in character by the changing character of the immigration. In the case of Flatbush (Midwoud) the records are very

[1] Kilpatrick, W. H., The Dutch Schools of New Netherland and Colonial New York; U. S. Bureau of Education, Bul., 1912, No. 12. His exhaustive treatment of all the available records forms the basis of this summary of Dutch colonial education.

[2] Dunshee, History of the School of the Collegiate Reformed Dutch Church in the City of New York.

[3] Kilpatrick, op. cit., p. 205–6. Kilpatrick concludes that this is the only instance on record of a true school tax.

complete and in the fact that one of the first secondary schools to be established after the Revolutionary War, the Erasmus Hall Academy, was established in this village, is to be found proof of the following statement, that "it seems . . . unthinkable that this deep interest in public education, which for over a century was extended through so much of the colony, should have no part in early committing New York to a strong policy of state public schools." [4]

Of particular interest to our purposes are the efforts to found Latin schools. Three attempts were made in the period from 1652 and 1664 to found such schools in the village of New Amsterdam, with the result that each school survived the rigorous conditions of the colony but two years. Following the first establishment of secondary facilities under Jan de la Montagne, who was granted a salary of 200 to 250 guilders by the lords directors, the next essay was made in 1658, when we find the lords directors writing that "Domine Drisius has repeatedly expressed to us his opinion, that he thought it advisable to establish there a Latin school for the instruction and education of the young people," and consequently empowering Director Stuyvesant to look into the matter considering both the interests of the colony and the company.[5] In the following year a teacher was sent out, Curtius by name, whose career was cut short through his lack of disciplinary ability, his unwillingness to meet his financial obligations, and the difficulty of satisfying his exorbitant demands in the way of salary. Of the work of his successor, Aegidius Luyck, who after the coming of the English remained as a resident of the colony, we know little other than that his school drew pupils from some distance, two coming even from Virginia.[6]

With the permanent occupancy of the English there was introduced into the New York colony the policy of laissez faire in educational matters. Private schools grew up to meet the variety of demands of the young and prosperous colony although secondary education seems never to have flourished.[7] Kilpatrick in an unpub-

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[4] Kilpatrick, op. cit., p. 230.

[5] New York Colonial Documents, 14: 419. Compare also p. 436, 452 and 462 for later references to this school, its master, etc.

[6] Pratt, D. J., Annals of Public Education in New Netherlands, Regents Rep't, 1869, p. 863. In a letter to the lords directors in 1658 Stuyvesant had remarked that the nearest Latin school was at Boston. With others he entertained the hope that the New Amsterdam school would grow into a university, or academy, as the term was then used; see Pratt, op. cit., p. 853.

[7] Pratt, Public Education in the Colony of New York, Regents Rep't, 1870, p. 619–02, gives much documentary evidence on the English period.

lished study of the English colonial régime has found approximately 225 different masters serving in the various parts of the colony.[8]

In the field of secondary education, it appears that the first public interest was shown in the proposal of Governor Dongan to King James asking that the proceeds of the king's farm be appropriated to a Jesuit school.[9] The first of two definite attempts to foster public Latin grammar schools was made in 1702, when after much consideration and discussion there was passed "An act for the encouragement of a grammar free school in the city of New York."[10] Provision was made for teaching the "languages or other Learning usually taught in Grammar Schools" and for a tax of 50 pounds a year in New York money for the support of a teacher. George Muirson was licensed in 1704 by Governor Cornbury to teach in this school, Latin, Greek and English as well as writing and arithmetic, and upon his return to England in 1705 the common council licensed Andrew Clarke specifically to carry out the provisions of the act.[11] The fact that Clarke in 1712 is found in other public employment in the city indicates apparently that the school could not have been continued longer than a period of seven years. In 1708 we find that Clarke's salary is assured and that he has under his care 33 pupils.[12]

In 1732 there was passed "An act to encourage a publick school in the city of New York, for teaching Latin, Greek and mathematicks."[13] The following quotation from the act is better than any commentary:

> And Whereas the Mayor and Aldermen and a great Number of the principal Inhabitants of the said City of New York have by their petition to the General Assembly set forth that One Mr. Alexander Malcolm has, by keeping of a Private School within the said City, given a satisfactory Proof of his Abilities to teach Latin, Greek and the Mathematicks; But as the Income of that School does at present fall short of a comfortable support for himself and his Family they humbly pray he may have a suitable encouragement to keep a Publick School amongst us under such Regulations and Restrictions as may answer that End.
>
> And although the not rightfully applying of a temporary salary heretofore allowed for a Free School, has been the chief cause that an Encouragement for the like purpose has ever since been neglected; But in as much as the

[8] See also R. A. Seybolt, Apprenticeship and Apprenticeship Education in Colonial New England and New York.

[9] O'Callaghan, Colonial History, 4: 490.

[10] Laws of Colonial New York, chap. 120, as transmitted to the Legislature, pursuant to chap. 125 of the Laws of 1891. See also Pratt, op. cit., for excerpts from the Assembly Journals.

[11] Pratt, op. cit., p. 642. Cf. Kemp, The Support of Schools in Colonial New York by the Society for the Propagation of the Gospel in Foreign Parts, p. 70 ff.

[12] Kemp, loc. cit.

[13] Laws of Colonial New York, op. cit., II, p. 813–17.

present Circumstances afford a better Prospect, and to the End our Youth may not be deprived of the Benefits before mentioned. . . .

By this act provision was made for the continuance of the school for a period of five years, free tuition to be had by twenty youths, ten from New York city and county, two from Albany and one each from the eight other counties. These pupils were to be certified to the master by the municipal authorities. The master's salary was to be provided by an annual tax of 40 pounds together with the excess of hawkers' and peddlers' licenses over the grant therefrom to the salary of the sheriff. In 1737 the grant was continued for one year but within a week of the passage of the act of renewal Malcolm petitioned the Assembly for the sum of 115 lbs. 3s. 6d. for arrears in salary.[14] It was refused at the time but three years later the major part of the sum was voted.[15] The activity of the colony in providing higher education included further the single act of the establishment in 1754 of the Kings College (later Columbia), in connection with which there was provided a grammar school in 1763. Doctor Johnson, the retired president of the college, in a letter of the same year suggested that the relatively slow development of secondary education was in part due to the lack of any college in the earlier history of the colony; boys went to other colonies for their complete education beyond the mere rudiments.[16]

This account of English colonial education in New York would be incomplete without reference to the work of the Society for the Propagation of the Gospel in Foreign Parts.[17] As early as 1702, a catechist was established in New York City and by 1710 the foundations were laid for the school which later was taken over by Trinity Church and has come down to the present. To one of the teachers, Mr Huddleston, and later to his widow, meager appropriations were granted by the city and, for a time between 1714 and 1717, Huddleston was permitted the use of the city hall.[18] Kemp has found that from 1710 to 1776 the society maintained within the bounds of the colony from five to ten elementary schools, with an enrolment ranging from 20 to 86 pupils. He further states that as regards the eighteenth century, "the society's encouragement of schools furnished the nearest approach to a public school system

[14] Laws of Colonial New York, op. cit., II, p. 073-77.
[15] Laws of Colonial New York, op. cit., II, p. 86.
[16] New York, Col. Docs., 7:538.
[17] Kemp, op. cit.; a scholarly account of the society's activity.
[18] Kemp, op. cit., p. 90 ff. The council furthermore petitioned the Assembly for the power to maintain "a publick school-master for teaching the poor to read and write."

that was to be found among the English colonists in New York."[19] Certain it is that the promotion of the education of the poor in the charity schools of the New York City churches received its impetus from the society's work and that thus one of the prominent factors in the city's education was initiated.

In conclusion it should be said that this meager showing of public Latin schools is by no means a measure of secondary educational facilities but rather an index of an almost complete dearth, as compared with the New England colonies, of a tradition that would prepare for the early acceptance of the theory of the public high school. On the other hand there was, through the adoption of the voluntary policy, abundant precedent for, and some direct contribution to, the early development of the academy, while for the time being the numerous private schools apparently met rather fully the needs of the commercial and mercantile as well as of the professional classes.[20]

2 Development of the Academy System

a Establishment of The University of the State of New York. When the attention of the young State's leaders could be directed to the building up of a new social system, they turned to education,[21] and naturally the first significant step was in the field of higher education. Determining factors were the precedent of previous legislation during the English régime, the relatively aristocratic type of leadership, together with the fact that the only extant institution with any following was King's College, now Columbia. On May 1, 1784, there was passed "An act for granting certain Privileges to the College heretofore called King's College, for altering the Name and Charter thereof, and erecting an University within the State."[22] More significant than the recognition of the college was the creation of the University, whose functions included not only the government of the college but the founding and government of other schools and colleges, as a part of the University. By a later act of the same year,[23] the the ecclesiastical and ex-officio representation, as well as that of "Board of Regents," its governing body, was increased from 32 to 65, with the consequent reduction of the proportionate influence of

[19] Op. cit., p. 277.

[20] Miller, G. F., The History of the Academy System of the State of New York, chap. 1.

[21] Assembly and Senate Journals for 1784, especially Senate Journal, p. 6.

[22] Laws of New York, 1784, 7th session, chap. 51.

[23] Laws of New York, 1784, 8th session, chap. 15. Also in Pratt's Annals of Public Education in the State of New York, Regents Rep't, 1876, p. 695–96.

the counties other than New York. This act appears to have been a compromise between the aristocratic and conservative interests centering in Columbia College and the more democratic interests of the other counties. The college remained the chief object of concern of the Board.[24] A committee appointed in February of 1786 to consider "ways and means of promoting literature throughout the State" seems not to have reported. However a second committee appointed in the following January to consider generally the status of the University and measures needed to render it more effective reported soon thereafter, in particular recommending separate corporate powers for the colleges within the University and encouragement of "academies for the instruction of youth."[25] In the meantime at least three academies had sought some sort of recognition; petitions had been received by the Legislature from citizens of Goshen for the privilege of raising by lottery 200 pounds to complete an academy building,[26] an act had been passed legalizing the sale of land for the erection of an academy by the Dutch Church at Flatbush,[27] and a petition had been received from citizens, including a prominent Regent, Mr L'Hommedieu, of East Hampton, for certain privileges for an academy at that place.[28]

After many tentative drafts and much consideration in both branches of the Legislature as well as by the Regents, there was passed in April 1787, an act which became the University law and underwent little modification for over a century.[29] By this act the University became a purely secular organization, consisting of 21 members, the Governor and Lieutenant Governor, serving ex-officio, and the others to be appointed by the Legislature. Columbia College was set off with a separate board of trustees, as were also all other schools which became members of the University. The enlarged powers of the University included the chartering of colleges and academies, the visiting and inspecting of these institutions and finally the granting of aid. The provisions by which the academies were recognized as preparatory schools for the colleges indicated that the act contemplated the founding of these two types of

[24] Sherwood, The University of the State of New York. U. S. Bureau of Education, Circular of Information No. 3, 1900. Pages 44 to 99 give a very complete account from documentary evidence of the founding of the University and of the struggle mentioned above. Cf. Miller, op. cit., and also Pratt, op. cit.

[25] Pratt, op. cit., p. 717, 724–25.

[26] Assembly Jour., 1785, p. 7.

[27] Laws of New York, 1786, chap. 54.

[28] Pratt, op. cit., p. 725.

[29] Laws of New York, 1787, chap. 82. See also Pratt, op. cit., p. 726–48.

institutions. Supplementary provisions empowered the Regents to revise the course of study of schools whose trustees desired intimate connection with the colleges in the way of permission of their students to take the examinations and further provided for the erection of academies into colleges. At the second meeting of the newly constituted board the academies of Erasmus Hall at Flatbush and Clinton at East Hampton were chartered.[30] The first annual report shows that Erasmus Hall had 26 students in two departments, the classical and English, and Clinton 56 in three departments, classical, English and common school.[31] It will be necessary to treat briefly the leading features of the establishment of the academy system which for nearly a century largely preempted the secondary field.[32]

b Growth of the academy: finance, curriculum. The numerical growth of the academy movement is shown in table 1.[33] Of this

TABLE 1

Secondary schools incorporated by 1853

YEARS	INCORPORATED BY REGENTS	INCORPORATED BY LEGISLATURE	YEARS	INCORPORATED BY REGENTS	INCORPORATED BY LEGISLATURE
1787–1790	4	.....	1821–1825	2	11
1791–1795	11	.....	1826–1830	5	30
1796–1800	4	.....	1831–1835	2	36
1801–1805	4	.....	1836–1840	12	64
1806–1810	4	.....	1841–1845	32	13
1811–1815	10	.....	1846–1850	21	10
1816–1820	6	5	1851–1853	20	9[1]

[1] Six of the schools incorporated by the Legislature from 1847 to 1853 and included in the above are properly high schools.

total of 315 institutions, of which 178 or 57 per cent were incorporated by the Legislature, it will be seen that the greatest growth was in the years 1826–40, when legislative activity was at its height.[34] Two reasons may be given for this partial assumption of the function of granting charters by the Legislature:

1 The powers of the Regents had been called in question as regards the rights under the constitution of 1821 to grant charters,[35] and, although the answer of that body in reply to a resolution of the Senate in 1825 justified its retention of the power, the practice

[30] Regents Minutes in Pratt's Annals of Public Education in New York, Regents Rep't, 1883, p. 430–42. See also Chronicles of Erasmus Hall Academy, for facsimile of charter and proceedings relative thereto.

[31] Quoted in full in Pratt's Annals, op. cit., p. 444–45.

[32] See George F. Miller, op. cit., for a comprehensive treatment.

[33] Compiled from Regents Instructions, 1853, p. 139–50.

[34] Inglis finds a similarly rapid growth in Massachusetts; op. cit., p. 11.

[35] Regents Minutes (MSS), v. 3, p. 10–11. See also Assembly Documents, 1853, no. 22.

of turning to the Legislature had begun and was continued very largely to 1840 (see table 1).

2 The period was one of marked experimentation with the consequent results that a large number of the schools of this period were variants from the typical academy, which the Regents regarded it as their duty to foster, and that many desired special privileges not granted either in the University law or in the requirements of the Regents of 1815 which stipulated the minimum essentials of building and funds of institutions seeking incorporation[36] (see table 3). In table 2 this development is seen to even better advantage, as regards the last quarter century of the period under discussion.[37] It will be noted that but few more than one-half of the

TABLE 2

Growth in numbers of academies reporting, pupils, plants etc.

YEAR	No. academies reporting	No. pupils at time of report	No. allowed as academic pupils	No. teachers	Annual apportionment	Total value plant and equipment
1826.....	34	2 446	636	.....	$6 000	.....
1830.....	57	4 303	2 220	160	10 000	$337 809
1835.....	66	5 548	4 017	228	12 000	420 840
1840.....	127	11 477	10 186	571	40 000	1 003 504
1845.....	153	12 608	13 481	610	40 000	1 147 102
1850.....	166	15 477	17 012	739	40 000	1 418 041

incorporated institutions were reporting. The Regents in 1853[38] considered that 203 schools were subject to their visitation, while 37 were extinct or merged into colleges, and 73 of the Legislature-incorporated institutions had not availed themselves of general acts which provided that by meeting the requirements of the Regents and of the statutes, they might be admitted to the University and allowed to share in the annual distribution of state funds.[39]

At the outset the great problem of the academy was seen to be that of sufficient income. An act of 1786 had provided for the setting off of two lots in each town of the State's unappropriated lands, one of which was for "gospel and schools" and the other "for

[36] Assembly Documents, 1830, v. 3, no. 141; a special report of the Regents quoting from this early regulation with later modifications.

[37] Compiled from Hough, F. B., Historical and Statistical Record of the University of the State of New York, 1885, especially chaps. 20–23 inclusive. See also Annual Reports of Regents.

[38] Regents Instructions, op. cit., p. 139–50.

[39] Rev. Statutes of 1829, pt 1, chap. 15, title 1, sec. 54 (repealed by chap. 140, Laws of 1834). Also Laws of 1838, chap. 237.

promoting literature."[40] In 1790 there was passed an act placing at the disposal of the Regents several large tracts of land, and in the interim until this should become productive of revenue, the sum of 1000 pounds annually was appropriated for the needs of the academies and the college.[41]

In 1813 there was passed "An act directing the sale of certain lands for the benefit of academies,"[42] which together with later acts established the literature fund, permanently devoted to the use of the academies by the constitution of 1846. The annual income had increased to $12,000 by 1834 and in 1838 there was passed an act adding to this sum annually the sum of $28,000, making a total of $40,000 annually to be apportioned on the basis of the number of pupils pursuing other than common school branches. Reference to table 2 will show the effects of the increased appropriations. A marked injustice was brought about by the Revised Statutes of 1829, by which the sum annually distributed was to be divided equally among the eight senatorial districts, a practice which was continued until 1847,[43] and which operated to make certain institutions prosperous at the expense of others.

Reference having been made to the development of state funds for the aid of academies and the changed status of the secondary school, it becomes important to note the progress made in the extension of the curriculum. At the first the distribution of funds, left entirely to the Regents, had been made on the basis of special need,[44] but this practice was soon changed to one of distribution on the basis of number of pupils reported. With the consequent rise of the common schools, it became apparent that the work of the two systems was overlapping while the number of pupils in the higher or classical branches was actually on the decline. In 1818 therefore the Regents adopted a rule that provided aid for those academy pupils only that were pursuing "a course in classical instruction, usually pursued as preparatory to admission to colleges."[45] Natur-

[40] Laws of New York, 1786, chap. 67. Also Hough, op. cit., p. 70 ff.
[41] Laws of New York, 1790, chap. 38. Amended 1802, chap. 105.
[42] Laws of New York, 1813, chap. 187; see also 1813, chap. 199; 1814, chap. 83; 1819, chap. 222; 1824, chap. 313; 1827, chap. 228; 1829, chap. 325; 1830, chap. 184; 1831, chap. 281.
[43] See constitution of 1846, art. 9. Documents referring to the results of the district method of appropriation include the following: Assembly Documents, 1841, no. 256; 1839, nos. 76 and 141; also annual Rep'ts of Regents, 1830 ff.
[44] Regents Rep't 1793; quoted in Hough, op. cit., p. 445.
[45] Special Rep't of Regents to the Legislature, in Assembly Jour., p. 863–66. For status of classics in the curriculum, see annual rep'ts of 1819, 1820, 1822 and 1825.

ally objection was early found to this by schools which were immediately reduced in amount of aid but no change was made until 1827 when the Legislature passed an act defining the right to participation as limited to those students who "for six months during the preceding year . . . shall have pursued classical studies, or the higher branches of English education, or both; and that no pupil shall be deemed to have pursued classical studies, unless he shall have advanced as far at least as to have read the first book of the Aeneid of Virgil in Latin; and no student shall be deemed to have pursued the higher branches of an English education, unless he shall have advanced beyond such knowledge of common, vulgar and decimal arithmetic, and such proficiency in English grammar and geography, as are usually obtained in common schools." [46]

As this act provided further that institutions incorporated by the Legislature might subject themselves to the rules of the Regents and thereby receive aid, a marked impetus was given to the introduction of "English" subjects which included a very wide range, indeed as usually interpreted all subjects not distinctly included in the classics and above the elementary. An intensive study of the curriculums of the reporting academies shows that of the 149 subjects appearing in the years 1787–1870, 100 appear for the first time in the years 1826–40 as against 23 in the years preceding and 26 in the years following, while of 28 occasionally appearing and irregular subjects, 17 enter the curriculums at this time.[47] From 1825 to 1828 one-third of the new subjects appear. Of the subjects that came in in this period of 15 years, those that attained a prevalency of 75 to 100 per cent include algebra, astronomy, botany, chemistry, geometry, general history, history of the United States, surveying and mental (intellectual) philosophy, while the subjects that came to be taught in some twenty or more schools were elements of criticism, drawing, geology, law (and civics), mensuration, music (in 18 schools), natural history, physiology and trigonometry. In this connection it should be noted that in 1840 there were but 1078 students reported in the colleges in the State and, in 1853, 889 literary students and 847 medical students; the number of academy pupils in this period practically doubled. In 1821 the Regents in their annual report had considered the academy as the gateway to

[46] Laws of 1827, chap. 228.

[47] Compiled from Miller, G. F., op. cit., chap. 5. It should be borne in mind that many of these subjects were merely topics, for example, logarithms, electricity and optics.

the learned professions for those who lacked the means of a collegiate education while they very rightly were considered as offering work that was the fair equivalent of college instruction.[48]

c Special types of academies: "female" academies, monitorial high schools. The consequences of the experimental era above noted were less favorable and permanent than might have been anticipated. and yet it should be said that the underlying purposes of many of the institutions were little different than those of the early New England high schools, particularly the extension of higher education to the mercantile and agricultural classes.[49] One significant phase of academy development was the provision for the education of girls. Beginning in 1819, in which year was incorporated the Waterford Female Academy,[50] there were incorporated previous to the year 1853, 32 institutions in whose titles appeared the word "Female" while many other schools catered largely to the same sex. In the Regents Reports, it is seen that in the later years of those under consideration, the number of girls in strictly secondary studies exceeded that of boys. Table 3 gives some conception both of the variety of institutional interests, and the divergent activity of the Legislature and the Regents in granting charters in the years 1826–40.[51]

TABLE 3

Titles of secondary institutions incorporated, 1826–40

CORPORATE TITLES OF SCHOOLS	INCORPORATED BY	
	Regents	Legislature
Academy	10	72
Academy (female, scientific etc.)	.....	8
Seminary	1	4
Seminary (female, scientific, agricultural etc.)	.....	15
Institute	.....	3
Institute (scientific, practical, liberal, collegiate, of science and industry)	1	8
Miscellaneous (grammar, collegiate, college, lyceum, classical schools, etc.)	2	12
High schools	1[1]	12
Total	15	134

[1] Lewiston High School Academy, under the act of 1821, chap. 61. Regents Minutes (MSS), v. 3, p. 215.

Undoubtedly a detailed study of individual institutions would show that the manual labor movement played an important rôle in

[48] Regents Minutes, 1835 (MSS), v. 4, p. 62–63.

[49] Inglis, op. cit., p. 15–18. Cf. the report of a committee appointed by the High School Society of New York, 1824.

[50] Laws of 1819, chap. 52. See also Assembly Jour., 1820, p. 15; also a Memorial of Emma Willard and others relative to female education, Assembly Documents, 1852, no. 74.

[51] Compiled from Hough, op. cit., p. 575–732.

this period although but two schools bear the name.[52] Hough quite inaccurately finds but five such institutions.[53] In spite, however, of the great variety of corporate titles, it will be seen that the number of institutions bearing the title of "academy" and incorporated in the years 1826–40, is approximately two out of three, which together with the fact that many incorporated under other titles later changed to that of "academy," is indicative of the tendency to remain true-to-type.

Special mention must be made of the so-called "high schools" of this period. All probably at some time in their history used the monitorial method, as indeed did many academies.[54] The first of these schools to be incorporated was the New York High School Society,[55] based directly on the experience of Dr John Griscom who during a visit to Europe had been impressed with the use of the monitorial system in the Edinburgh High School, and had widely disseminated the knowledge he gained concerning that institution.[56] At a meeting held early in the year 1824 John Griscom and Daniel Barnes were chosen associate principals, a "Plan and Articles of Subscription" was drawn up and 134 shares of $100 each were taken up by 96 subscribers. The preamble of the plan stated that the purpose of the founders was to establish a school preparing either for college or for business pursuits. In a "Report of a committee appointed by the High School Society of New York, to prepare a plan of instruction to be pursued in the high school," given at a meeting of December 15, 1824, note was made that New York's great commercial precedence over her competitors was without a corresponding intellectual and moral status. The ideals of the founders were stated in the following words:

> We wish to see established in our city a system of education congenial with our republican institutions, and commensurable with our means and wants. We should be glad to see an institution supported by law at the public expense, for instruction in classical learning, and in some of the

[52] Laws of 1832, chap. 123 (Genesee Manual Labor Seminary; not organized); 1833, chap. 301 (Aurora Manual Labor Seminary; became Aurora Academy by chap. 228, Laws of 1838).

[53] Hough, op. cit., p. 441.

[54] Miller, op. cit.

[55] See table 4.

[56] Griscom, John, A Year in Europe, 1818–19; second edition published in 1824. See pages 222–23. The term "hie scule" was used of this public Latin grammar school at least as early as 1531; see excerpts from minutes of the town council in Steven, The History of the Edinburgh High School, app., p. 1. It is noteworthy that the New York Teachers Society had discussed the need of a high school as intermediate between the elementary schools and the college; see the Academician, 1:186–88 (September 1818); also p. 207.

higher branches of useful science, which should be open to all classes of society. . . . Such an institution now exists in one of our sister cities to her distinguished honor, and we believe nowhere else. . . . It is not expected that individual efforts will establish a seminary of learning upon such a basis as this, but we confidently anticipate that the High School will, in a great measure, be a substitute for it; and that it will go far towards supplying the defects of our present means of education.

A Male High School was opened in March 1825 and a Female High School in the following year with the result that in 1828, 730 pupils were in attendance.[57] In addition to the usual academic subjects, much was made of lectures in chemistry and natural philosophy in which field Doctor Griscom attained some renown. In the Male High School were offered Spanish and athletic exercises, and shop work was planned for. In the Female High School, much attention was given to the specialties of its principal, namely, drawing, painting and plain needlework. The school encountered at first the opposition of the New York Teachers Society, the various private schools and even Columbia College, apparently through fear of competition and the drawing off of students,[58] but its discontinuance in 1831 seems to have been due rather to lack of administrative ability on the part of its principals, the problem of adjusting the monitorial method to higher subjects being found difficult.[59] Its brief period of large success had caused a number of similar ventures to be attempted, as seen in table 4.

[57] First, Second and Fourth Annual Reports of the High School Society.
[58] Griscom, J. H., Memoirs of John Griscom, p. 203 and 208; see also p. 326, in which Griscom refers to the high school and Columbia College as public buildings.
[59] Griscom, J. H., op. cit., p. 209–14.

TABLE 4

Monitorial high schools incorporated by special acts, 1825–36

NAME	DATE OF ACT OF INCORPORATION	CONTROL AND SUPPORT	REGENTS AIDED	FURTHER DATA
New York High School Society	1825, ch. 74..	Stock Co.....	.....	Dissolved 1833, ch. 9. A high school at same location sought Regents charter, 1844. Regents Minutes (MSS), v. 4, p. 443, 474
Livingston County High School	1827, ch. 64..	Stock Co.....	1833–34, 1836–75	1846, ch. 309, name became Geneseo Academy; 1866, normal school
Rochester High School..	1827, ch. 70..	Trustees of dists. 4 and 14. Tax; vide, also 1831, ch. 51	1829–30, 1832–51	Division of dist. authorized 1836, ch. 165. Rochester Collegiate Inst. 1839
Buffalo High School Association	1827, ch. 330	Stock Co.....	1829–33, 1840–45	Dissolved 1851, ch. 142. Name changed to Literary and Scientific Academy, 1830, ch. 32; dissolved 1846, ch. 88
Gouverneur High School.	1828, ch. 162.	Stock Co.....	1831 ff....	Aided by tax 1839, ch. 64, 1869, ch. 291, etc. Name Gouverneur Wesleyan Seminary, 1840, ch. 169
Warren County High School	1828, ch. 226.	Stock Co.....	.....	Not organized
Palmyra High School...	1829, ch. 81..	Stock Co.....	1833–37...	Transfer of property of dist. 1, legalized 1830, ch. 115; extinct 1850
Newburgh High School..	1829, ch. 234.	Dist. 13 made permanent; support by tax	.....	District divided 1848, ch. 192; merged common school system 1852, ch. 156
Ontario High School....	1830, ch. 113.	Stock Co.....	.....	Not organized
Clyde High School.....	1834, ch. 175.	Trustees dists. 14 and 17; tax	.....	Dist. 14 dropped out, 1842, ch. 268; 1858, ch. 192 made free school; 1876, ch. 332, acad. dep't, subject to Regents
Preble High School.....	1834, ch. 176.	Trustees dist. 6, made corporate body	.....	Not organized
La Fayette High School.	1836, ch. 176.	Stock Co.....	.....	Not organized
Sandy Hill (high school or academy)	1836, ch. 523.	Village trustees authorized to raise tax	.....	Not organized

Table 4 indicates the fact that from 1825 to 1836 more than a dozen such institutions were conceived. To these should be added the Lewiston High School Academy,[60] the Troy High School established in district 1, and made the recipient of lottery venders' licenses with the stipulation that the trustees establish a high school on the monitorial plan and prepare teachers therein as well as instruct in the higher branches,[61] the Utica High School for Boys, established as a boarding school for boys in 1827, and known from

[60] See footnote to table 3.
[61] Laws of 1828, chap. 101.

1833 on as the Utica Gymnasium,[62] and the Ellenville High School, incorporated by the Regents as a stock company in 1856.[63] The extent of the movement is further seen by the following facts: the Clinton High School Association was formed in 1831,[64] petitions sent to the Regents in 1830 and to the Legislature in 1831 requesting the chartering of the Genesee High School at Alexander were refused because of lack of compliance with the regulations,[65] and in 1839 the Turin Academy applied for a charter under the name of the Turin High School, only to have the name changed in the committee on colleges.[66]

Reference to table 4 makes evident the fact that at the outset these high schools were divided into two groups, corporate stock companies and district schools which sought certain privileges. Of the former, but two had any degree of permanence, Gouverneur High School which like many other academies at different times, received aid from town tax, and Livingston County High School which was modeled closely after the New York High School.[67] In 1837 the trustees of the latter offered free tuition to four pupils in each town of the county.[68] Among the avowed purposes of this school were the cheapening of instruction for the advantage of the poorer classes, the training of teachers in the monitorial method, and the provision of a suitable education for the wants of farmers, mechanics and merchants. Favorable comment was made upon the institution by Superintendent of Public Instruction Flagg in his annual report for 1827, and by Governor Clinton in his annual message to the Legislature. Each advocated the extension of the monitorial high school throughout the State, to be located at the county towns, and to provide for the training of teachers in addition to giving a practical-scientific education. The Governor urged the Legislature to provide that the State bear one-half of the expense of erection of the buildings for these schools at a cost not to exceed $4000 each. No action was taken and thus the first impulse toward the high school movement failed, as it must have done had it been initiated

[62] Utica Directories for 1828 and 1833. C. Bartlett, principal.

[63] Provisional incorporation by Regents in 1856; Laws of 1867, chap. 537, declares Principal Post a corporation and makes name "Ulster Female Seminary." See also Ellenville Journal, Sept. 12, 1863.

[64] Annals of Education, 3:487–88.

[65] Assembly Document, 1831, no. 319; Regents Minutes (MSS), v. 3, p. 270, 305.

[66] Assembly Jour. 1839, p. 1104.

[67] For prospectus and ideals of founders, see American Journal of Education, 1:203–5, 441; 2:700–1; 3:633–34.

[68] Common School Assistant, 2:88.

with the monitorial ideal.[69] The county conception undoubtedly influenced the incorporation of the Warren and Ontario High Schools.

Of the districts granted special privileges as high schools, Rochester and Clyde offer the first examples of union or consolidated schools, respectively in 1827 and 1834, although both unions were dissolved very soon. By the act of incorporation Clyde was denied aid from the literature fund, which indeed was not granted until 1876.[70] The Rochester High School act referred to chapter 61 of the Laws of 1821, specially providing that any district might place itself under the Regents for the privilege of incorporating with the rights of establishment of instruction in the systems of Lancaster and Bell, and it soon came under the Regents. As late as 1837 it was known as a common school and reported to have 12 teachers with 634 pupils out of 2782 in the city's public schools,[71] but by 1839 it was regarded as a stock company.[72] The act of incorporation of the city extended the privileges of establishment of high schools by any district of the city or by any union of districts, and further required the Rochester High School to make annual reports to the common council "as trustees of a school district."[73] Evidence seems to be sufficient to justify the conclusion that these schools, like the New York High School, took pupils at the earliest age and carried them through the branches that were generally considered preparatory to college.

d State recognition of special social functions of the academy. One of the best indications of the large place of the academy and of its institutional relationship is seen in the fact that it became during this period an institution for the training of elementary or common school teachers. Beginning with suggestions in the Regents Reports of 1821 and 1823 and followed by the specific recommendations of Governor DeWitt Clinton in his annual messages to the Legislature, this function of the academy was specifically provided for by an act of 1834.[74] This act provided that the excess of $1200 of the income of the literature fund be devoted to this purpose and the Regents immediately drew up a course of study and designated an academy in each senatorial district, thus systematizing a work

[69] Messages of the Governors (ed. by C. Z. Lincoln), 3:213.
[70] See petition of trustees, Assembly Jour., 1838, p. 517, 540.
[71] Common School Assistant, 2:40.
[72] Regents Minutes (MSS), v. 4, p. 22.
[73] Laws of 1834, chap. 199; see also Laws of 1850, chap. 262.
[74] Laws of 1834, chap. 241. See also Laws of 1827, chap. 228.

that was as old as the academy itself. An act of 1838 provided that schools receiving the sum of $700 from the literature fund should establish teacher-training departments, a measure that failed of results because of the fact that such institutions were in a number of cases not suited because of nature or location to carry on this work.[75] In the meantime the administration had been transferred to the Superintendent of Common Schools,[76] and thus there came about a gradual change in policy which brought the temporary termination of the system in 1844 with the establishment of the state normal school. By 1849 the academy was again recognized,[77] this time as a supplementary agency with the normal school, the number of teachers classes was increased, and the administration restored to the Regents where the authority remained until 1889. In 1853, 91 schools report a total of 1570 pupils in training as teachers.[78] In this same year, the permanent establishment of these departments was effected by an appropriation of $18,000 and within the year another act was passed providing that these pupil-teachers pledge themselves to teach, requiring reports to the Regents, establishing requirements as to the size of classes and providing a pro rata appropriation.[79] Whatever may have been the efficiency of the system, and there were radically opposite views of the matter, it is sufficient for our purpose to note the importance of the step in the recognition of the necessary relationship of the higher and the lower schools. A single quotation, similar in tone to many expressions, will indicate the sentiment of leaders who favored this means of solving the most difficult problem confronting the elementary school:

> As affecting more extensively the general welfare, common schools are justly entitled to the first consideration and the most liberal patronage; yet seminaries of a more elevated rank ought to be sustained and cherished, for many reasons, and for this particularly, that upon them we must, in great measure, depend for competent teachers of the common schools.[80]

To many this assumed function of the academies became the essential reason for any public aid to them.

From 1834 on, recognition of the changed status of secondary education was evidenced in legislation empowering the Regents to

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[75] Laws of 1838, chap. 237. See Regents Minutes, 1839 (MSS), p. 230–31.
[76] Laws of 1837, chap. 241.
[77] Laws of 1849, chap. 174.
[78] Regents Rep't, 1854, p. 20–22. For a full treatment of the work of the academy in teacher-training, see Miller, op. cit., chap. 6.
[79] Laws of 1853, chap. 210 and 402 respectively.
[80] Message of the Governor, Senate Documents, 1834, no. 1.

grant small sums to individual academies for the purpose of providing them more fully with "books, maps and globes and philosophical and chemical apparatus."[81] A little later grants of meteorological apparatus were made with a view to creating at the various academies local observation stations.[82]

3 *Development of the Elementary School System*

a Early legislation and general status, 1795–1837. We have seen that in the elementary field as well as in the secondary, there was no established system at the opening of the period of statehood.[83] By enactments of 1782 and 1786, lots were set apart in each township in the unappropriated lands of the State for the use of the "gospel and schools."[84] From 1787 on the Regents urged the establishment of a public common school system, evidently conceiving that the power to provide for elementary instruction properly came within their jurisdiction.[85] Following the vigorous plea of Governor George Clinton in his annual message before the Legislature in 1795,[86] in which he held that the academies were instructing only those of means and that the great majority were unprovided for, the Legislature in that year passed "An act for the encouragement of schools."[87] This act provided temporary elementary educational facilities, by an appropriation annually of 20,000 pounds ($50,000) for a period of five years. The features of the act that proved to have a large degree of permanency in the later acts relative to common schools are as follows: provision for instruction "in the English language, or . . . English grammar, arithmetic, mathematics, and such other branches of knowledge as are most useful and necessary to complete a good English education," the apportionment of state funds among the counties according to population, the obligation of the county supervisors to raise a definite sum as a condition of receiving the state aid, the provision for the appointment of town commissioners by the town meeting and for the

[81] Laws of 1834, chap. 140; 1849, chap. 301; 1851, chap. 536.
[82] Laws of 1849, chap. 301; 1851, chap. 336; 1853, chap. 219.
[83] The Colonial Assembly of 1691 had under consideration a bill for the purpose of appointing "a school-master for the educating and instructing of the children and youth, to read and write English in every town in this Province"; Assembly Jour., 1691–1773, p. 7.
[84] Laws of 1782, chap. 22; 1786, chap. 67; 1805, chap. 136.
[85] Regents Rep'ts for 1793 and 1794, in Senate Journals for respective years; quoted in Hough, op. cit., p. 65–66.
[86] Messages from the Governors, 2:350. The Regents Rep't of 1795 shows that out of 471 pupils in 7 reporting academies, about one-half were studying the common branches; Senate Jour., 1795.
[87] Laws of 1795, chap. 75.

establishment of neighborhood schools through voluntary associations which laid the foundations for the district system.[88] Reports from 16 counties out of 23, in 1798, gave a total of 1352 schools with 59,660 pupils, the Comptroller estimating that the appropriation amounted to about 1 cent a day for each child.[89] With the lapsing of the state appropriation in 1800, came a practical discontinuance of the public elementary schools,[90] but in 1805 an act was passed appropriating 500,000 acres of land to the establishment of a common school fund, the interest to be used when it amounted to $50,000 annually.[91]

By an act of 1812, with its revisions of 1814 and 1819,[92] the common school system was permanently created. The statute of 1795 and its amendment of 1796, had established the complete lack of application of these laws to the academies.[93] Distinctive features of the system were:

1 The creation of the office of a State Superintendent of Common Schools, with powers of the management of the school fund and the collection of statistics.

2 The establishment of the district as the unit of administration and control, and as a legal corporation.

3 The provision for intermediate administrative officers, including the county supervisors, town commissioners and town inspectors, with major duties, respectively; of (*a*) the levying of taxes and disbursement of funds, (*b*) the distribution of funds to districts within the town and general administrative oversight of schools of the town, (*c*) the visitation and reporting of individual schools and the certification of teachers.

4 The granting of state aid to be apportioned to counties on the basis of population and to districts within towns on the basis of a census of those between 5 and 15 years of age, the grant carrying with it the obligation of towns (with the act of 1814) to raise an equivalent sum and the right of districts to supplement this with the rate bill and a limited building tax.

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[88] Swift, F. H., A History of the School District in New York State. See use of term association in amendment of 1796, chap. 49. Also Sup't Rep't, 1839, p. 18.

[89] Assembly Jour., 1798, p. 282–85. The population of these counties, according to the U. S. Census of 1800, was 439,871.

[90] Annual Message of Governor Clinton; in Messages, op. cit., 2:512. See also Fitzpatrick, The Educational Views and Influence of DeWitt Clinton, p. 29 ff.

[91] Laws of 1805, chap. 66; see also supplementary acts 1807, chap. 32; 1814, chap. 83; 1819, chap. 161 (which raised the annual appropriation to $70,000); and Revised Statutes of 1829–30.

[92] Laws of 1812, chap. 242; 1814, chap. 192; 1819, chap. 161.

[93] Laws of 1796, chap. 49.

There was little significant legislation from this point on until the end of the fourth decade of the century, other than the discontinuance in 1821 of the office of Superintendent of Schools as such and the consequent placing of his duties upon the Secretary of State and the vesting in the following year of appellate and final jurisdiction of all matters relative to the common schools in the State Superintendent.[94] The former of these acts was made necessary through the political appointment of a successor to Gideon Hawley who had served ably and constructively from the beginning of the initiation of the system.[95] The latter indicated a wholesome tendency toward centralization and soon made the office of the Superintendent a much more important factor than formerly.

The individual schools generally failed to maintain a high standard through the somewhat incidental type of state governance and the decreasing importance of the state fund in comparison with the growth in number of pupils. If we may judge from the annual reports, the more serious evils were the multiplicity of textbooks, the increasing subdivision of districts, the lack of public sentiment for education which resulted in short-sighted economy in term-length, wages of teachers and fitness of buildings, as well as the consequent rise in the forties of large numbers of opposition, or select and private schools. Somewhat later there came to be an appreciation of the complete inadequacy of the system of supervision through town commissioners and inspectors.[96] The New York common school system, however, both within and without the State and even abroad came to be known as the most successful of systems because it had in its schools more pupils per population unit than any other state or nation. For many years the reports revealed the fact that more pupils were in the schools than enumerated as between the ages of 5 and 15, both from the years 1824 to 1830 and again from 1835 on. No adequate explanation was given in the Superintendents' annual reports but the great source of this anomalous statistical situation is undoubtedly indicated by Francis Dwight who said that every child attending "but for a single day, is returned as attending schools, and thus hundreds in every county swell the returns, who instead of eight months, were not actually

[94] Laws of 1821, chap. 240; 1822, chap. 245.

[95] See his Annual Reports, especially those of 1814 and 1819. Mr Hawley then served as Secretary of the Board of Regents until 1842 and from 1842 to 1870 as a Regent, thus forming one of many links between the two systems. The office was reestablished in 1854.

[96] Sup't Rep'ts, 1837, p. 24–25; 1838, p. 23.

taught eight days."[97] Satisfaction was expressed with the state method of apportionment, each superintendent in turn noting the advantages over the free system of Connecticut or any system which did not hold out a state bounty of such amount only to act as an incentive or inducement to the local unit.[98] The "standard of education" was, however, felt to be low and the source was ordinarily sought in the lack of properly qualified teachers. We have already seen that the academy was conceived to be the means for the removal of this handicap.

In the meantime private agencies were working for the "improvement of the common schools." In the Superintendent's report of 1826, note was made of the appearance of the American Journal of Education and its possibilities in the creation of public sentiment and breadth of view in education. From 1836 to 1840 there was published the Common School Assistant, a journal edited by J. Orville Taylor, printed in large numbers and widely disseminated.[99] During the thirties, notices are found in the current educational magazines, notably the Annals of Education and the Common School Assistant, of county and local associations and conventions. At least fifteen of the northern and eastern counties had some such organization by 1840, and in at least two of them, the work of the association was extended through the appointment of an agent to go about the towns lecturing on educational topics and rendering such assistance as he might to the teachers.[1] State conventions of the "friends of education" were held in Utica in 1830, 1831 and 1837,[2] at which the leaders of education not only of New York but also of neighboring states met to discuss the means of reform in the common schools. Among the topics which were much discussed were the extension of the course of study and the classification of pupils. The period from 1838 to 1853 is marked by distinct, if uncertain, signs of progress. The succeeding paragraphs treat of this progress as regards the enlarged powers of state participation, developments in the district system through extension of its curriculum and consolidation of districts, and the

[97] Reports of County Boards of Visitors, in Assembly Documents, 1841, no. 153, p. 77. S. R. Hall, the well-known author of School-Keeping, said in 1833, before the American School Agents' Society, that there were between 50,000 and 80,000 uninstructed children in the State; Annals, 3:525.

[98] Sup't Rep'ts, 1816, 1833, 1834 and 1840.

[99] Bardeen, C. W., The History of Educational Journalism in the State of New York, p. 5–10.

[1] Annals, 3:426 ff; Common School Assistant, 1:91.

[2] Annals 1, pt 1, p. 175, and pt 2, p. 155–59; also 7:329.

rise of distinct city and village systems in which many features of the modern city system were to be found.

b Increased state support and control, 1838–1852. The first forward step was taken in 1838, in which year an act was passed by which, through the appropriation of the income of the United States deposit fund, the sum annually distributed to the common schools was increased from $110,000, at which point it had remained for a decade, to $275,000.[3] Article 9 of the constitution of 1846 established the inviolability of the United States deposit fund, as well as the common school and literature funds and provided for the annual supplementation of the common school fund with an increment from the income of the deposit fund of the sum of $25,000. The value of this increased aid was enhanced by the incorporation into the state system of certain of the voluntary activities of the period, particularly the provision for county boards of visitors in 1839, and in 1841 the adoption of the District School Journal as the official organ of the Department to be sent to all the districts.[4] In the latter year and through the same act there was established, chiefly upon the recommendation of the visitors, a system of county or deputy supervision, which, while abolished in 1847, not to be renewed until 1856, was perhaps the most important single piece of educational legislation up to this time. This body of men, among whom were many of the leading educators of the State, were given duties of inspection, visitation, supervision and certification, that made them, despite the largeness of the units of administration, an essential link in the system. Their reports, together with those of the county boards of visitors,[5] form the most illuminating picture of the status of the schools, and served the double purpose of directing state legislation and of keeping the various districts of the State in touch with progressive movements. At their annual coventions there were discussed the leading problems of the era known as the "educational revival," and by such leaders as Mann, Barnard, Emerson, Potter, Judge Hammond and Francis Dwight. The lapse of the county supervisory system and the return to the town unit with the town superintendent as the substitute meant a return to

[3] Laws of 1838, chap. 237; see also Governor Seward's Message for 1837, in Assembly Jour., p. 8–9.

[4] Laws of 1839, chap. 330 (see also Governor's Message, Assembly Jour., p. 29–31); 1841, chap. 260.

[5] Assembly Documents, 1840, no. 307; 1841, no. 153. For deputy superintendents' reports, see annual reports of State Superintendent and columns of the District School Journal.

the constant series of appeals of petty district quarrels to the office of the State Superintendent,[6] a lapsing of vital leadership and a minimum of supervision and direction of the town and district school officers. Some progress was made in the field of teacher-training through the establishment in 1844 of the state normal school,[7] and further by the development of teachers institutes, beginning in 1842, and subsidized by an act of 1847.[8] By 1845 and 1846 the agitation for free schools was well underway, receiving its initial impetus in the county superintendents' conventions of those years.[9] Taken up by the constitutional convention of 1846 and embodied in the superintendents' resolution which was passed, reconsidered and rejected, the principle was established by acts of 1849 and 1851.[10] The rate bill was not abolished, however, until 1867. The State's significant part was to be played in the administration of a tax of $800,000 (later changed to a mill tax) to be levied annually for the support of free schools according to the act of 1851, the first considerable state tax to have been levied for any purpose.[11]

Despite the large amount of voluntary activity of the thirties and following, which aimed at the general "improvement of common schools" as the foundation of stable political society, and the later legislative activity which sought better teachers, better supervision and increased support, the status of the district schools, except in certain of the larger villages and cities to which attention will be given later, was comparatively unchanged. The Superintendent's report for 1853 gave 11,864 districts, with 622,268 pupils in attendance out of 1,150,532 enumerated.[12] A large decrease was noted in the number of inspections, as well as in attendance, while the number in attendance for less than four months comprised more than two-fifths of those in attendance during the year. The rate bill continued to be used, the amount raised thereby constituting about one-sixth of the total of all school moneys and exceeding slightly the amount of district taxes.

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[6] See Sup't Rep't for 1851, p. 8–9; also Dix, Common School Decisions, 1837, as to the nature and number of appeals during the decade 1827–37.

[7] Laws of 1844, chap. 311.

[8] Laws of 1847, chap. 361. See also Randall, S. S., History of the Common School System of the State of New York, 1871, p. 186 ff.

[9] Randall, op. cit., p. 198 ff. Also the numbers of the District School Journal, v. 7–12, and the Sup't Rep'ts from 1846 on.

[10] Laws of 1849, chap. 140; 1851, chap. 151.

[11] Fairlie, Centralization of Administration in New York State, p. 160.

[12] See p. 3–5. The report notes an inexplicable discrepancy of figures in that the total "number of children taught" is 866,935.

c Extension of the elementary curriculum. Some sporadic progress had been made in the way of an extension of the curriculum to embrace higher subjects. As early as 1826, Governor DeWitt Clinton in the annual message to the Legislature suggested that most of the years of elementary instruction were wasted and could be used in a study of the elements of algebra, mineralogy, agricultural chemistry, mechanical philosophy, etc.[13] In that year the history of the United States was reported as studied in some schools of six towns; by 1832 it was reported in 52 towns and by 1834, in 104 towns. In the latter year the Superintendent advocated the teaching of criminal and civil jurisprudence and constitutional law,[14] and in 1837 in addition to these the "elements of natural philosophy and mechanism, of chemistry and political science."[15] In this report we have perhaps the earliest official suggestion of the high school, the belief being expressed that by this extension of the curriculum upwards the great mass of people would have the same advantage as those who attended higher schools. In 1840, the Superintendent in a summary of the reports of the county boards of visitors took the position "that there is no reason why the highest branches of an English education taught in our academies may not be pursued in our common schools."[16]

Something of the progress of the movement to include the higher branches may be seen from table 5. Early reports in terms of numbers of towns do not indicate whether or not more than one school and one pupil were engaged in such studies.

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[13] Quoted in Randall, op. cit., p. 51.
[14] Sup't Rep'ts, 1834, p. 22; 1835, p. 32.
[15] Sup't Rep't, 1837, p. 21.
[16] Assembly Documents, 1840, no. 307. Such was the situation in some of the city schools, for example, Rochester and Buffalo, op. cit., p. 59–60, 101–6.

TABLE 5

Introduction of higher subjects in the common schools[17]

	NO. TOWNS REPORTING SUBJECTS IN YEARS				NO. TEXTS REPORTED 1841	NO. CLASSES 1841	NO. OF PUPILS[1]	
	1826	1832	1834	1836			Winter 1844	Summer 1844
Algebra	....	....	....	....	3	12[1]	2 316	1 776
Astronomy	....	....	....	1	4	1[1]	217	191
Bookkeeping	2	....	2	2	.....	2[2]	903	730
Chemistry	....	....	....	2	.....	5[1]	189	43
Geometry	....	....	....	1	1	.....	644[3]	384[3]
History, not U. S.	7	13	3	5	.....	1	.....	.....
Latin	....	....	....	....	.....	2	.....	.....
Nat. hist. & botany	....	....	....	....	8	.....[1]	.....	.....
Philosophy								
a Mental	....	....	....	17	.....	8[1]	558	386
b Natural	....	....	....	....	.....	17[4]	4 712	2 769
Political science	1	....	....	....	3	.....	.....	.....
Rhetoric	....	2	1	1	.....	.....	.....	.....
Surveying	9	6	4	2	.....	.....	.....	.....

[1] In addition there were reported "several in one town."
[2] The number of common school branches has increased, and some of the other branches are also included as "other subjects," a miscellaneous list.
[3] Includes surveying and higher mathematics.
[4] Sixteen of which are in one town.

With the abolition of the county superintendent's office in 1847 records are no longer available, but general reports indicate a much more rapid progress in the decade following those shown with the incomplete data in table 5. While therefore the mere adding of higher subjects to a common or elementary school, often at the risk of comparative neglect of the elementary branches, does not of itself constitute a high school, it was the first significant step in that direction, for thereby the local unit, usually a district, became accustomed to the support in part or wholly by taxation, of the special classes or higher departments.

d Modifications of the district system: consolidation or union of districts. Of much greater promise was the movement toward the establishment of what came later to be generally called union schools. The practice must have arisen very early of employing in more populous districts two or more teachers. By a decision of Superintendent Flagg in 1826, such a district in the village of Sacket Harbor, which had earlier found it necessary to hire three teachers and provide a second building, was ruled to be one district, rate bills and taxes to provide equality of opportunity for all children.[18] In a decision in 1829 by which an appeal was dismissed which sought the annulment of the act of the school commissioners in dividing a

[17] Sup't Rep'ts, except for 6th column ("no. of classes"), which is found in the County Boards of Visitors Report.
[18] Common School Decisions, op. cit., p. 4–8.

district, the Superintendent added: "If the inhabitants of a large district can act in harmony, and establish a high school, or otherwise elevate the character of the common school, it would undoubtedly be useful to the cause of education; but if this unity of sentiment can not be produced, they can not have, under the law, any other than a common school."[19] The Superintendents' reports for 1834 and 1835,[20] noted that the number of teachers was slightly in excess of the number of schools due to the practice of employing more than one teacher, and in 1838 for the first time official recognition was given the fact that the continued division and subdivision of districts was "one of the greatest evils of the common school system."[21] In the report for 1839, the loss of 52 districts in 13 counties was attributed to the consolidation of weaker districts.[22] In the following year, the matter was taken under consideration by the county board of visitors of Chenango county, and at the annual meeting held in January 1841, the report favored "concentrating the district schools in villages" where the common schools were generally held to be the least efficient.[23] The report was based on practice in the cities of Utica, Rochester and Buffalo and the villages of Vienna, Greene and Geneva, and advocated a division into four departments the last of which should embrace instruction in the "languages and the highest branches of English, mathematics etc." In the same document, the visitors of Ontario county, in rendering a brief account of the development of the Geneva Union School, stated that the origin of the school dated from the realization of the low condition of the village schools and that following the decision of the districts to unite instead of further subdivide, the progress in attendance and place in public opinion was remarkable.[24] In an able editorial in the October number of the District School Journal, for 1841, now the official state journal, the subject of "Union Schools" is put forth as the means of several reforms, namely, the elevation of public, or village, educational interest, the increase of educational advantages, the equalization and diminution of expenses for schools

[19] Ibid., p. 52–53.
[20] Sup't Rep'ts, 1834, p. 20; 1835, p. 7.
[21] Sup't Rep't, 1838, p. 6–7. The remedy lay in the suggestive power of the Superintendent of Schools to the local commissioners who decided all such questions. An illustration of their inefficiency is seen in the fact that in 1841, the commissioners of the town of Cuba forbade the raising of a tax sufficient to establish a union school on the ground that it would break up a select school; see Finegan, Judicial Decisions of the State Superintendent, 1822–1914, p. 7–10.
[22] Sup't Rep't, 1839, p. 18. See also Sup'ts Rep'ts of 1842 and 1844.
[23] Assembly Documents, 1841, no. 153, p. 13–15.
[24] Ibid., p. 75.

and the more effective application of school moneys through the gain in classification of pupils.[25]

Superintendent Spencer in the report of the same year had stressed the fact that the town commissioners had been repeatedly urged to consolidate weak districts or unite parts of them to other districts, and stated that it was under consideration to effect a general revision of the school districts of the State to adapt their location and size to the changed situation as regards population.[26] The question came before the State Department again in 1846, when a letter from citizens of the village of Medina, asked advice as to the relative advantages of the union school and academic plans.[27] Superintendent Benton in his reply favored the union school plan but went on to state that the common schools were not designed to teach the languages, inasmuch as the law confined its work to an English education, and further that it was not permissible to charge a second and higher rate of tuition for the more expensive teaching of these subjects.[28] With the increased absorption of the State Department in other questions already noted, the union school continued to receive the attention of the more progressive county superintendents, who suggested in their annual reports various advantages and methods of consolidation, stimulated in some cases at least by the utterances of Mann and Barnard, in Massachusetts and Connecticut reports.[29] Resolutions were passed at their annual conventions and later at the State Teachers Association gatherings which favored its adoption as the general practice, and were based on reports of committees of these conventions.[30] In 1844 and 1845, the county conventions called by the county superintendent in Allegheny county indorsed the union school and in the debates leading to such resolutions, the future

[25] District School Journal, Oct. 1, 1841, 2:28–29. Reference was also made to the progress of the movement in certain New England states. (See Mass. Laws, chap. 23, sec. 49, Rev. Statutes, 1835, and chap. 189, 1838, as well as Fourth Annual Report of Secretary Horace Mann of the Mass. Board of Education, 1841, p. 424–28.) Francis Dwight, editor of the Journal at Geneva, was probably prime mover in founding the school at that place.

[26] Sup't Rep't, 1841, p. 4. A decision of Superintendent Flagg in 1826 had made it clear that school districts were to be organized independent of town and county lines. See Cubberley, Public School Administration, p. 6–7, for interesting graphs indicating the modifications of the district system with progress in the settlement of a county.

[27] District School Journal, June 1846, 7:59–60.

[28] Common School Decisions, 1837, p. 47–48, more than one rate of tuition for all branches ruled illegal. Cf. Superintendent Flagg, 1829, p. 47–48. Cf. Laws of 1846, chap. 119 and 207.

[29] District School Journal, 4:87, 104. Sup't Rep'ts, 1843, p. 394; 1844, p. 117, 638.

[30] District School Journal, 3:33; 44:83; 5:76–79, 107; 6:42–43, 49, 57–58. Also New York Teacher (1853), 1:227, 369.

of the academy was called in question.[31] From 1840 to 1853 some 25 union and consolidated schools came into prominent notice either through legislative action or the columns of the official journal; of these the great majority were scattered along the important trade-routes in the newer western part of the State. Concrete data as to the status of the earlier union schools is not to be had in any large measure but what is available indicates that these schools were beginning to compete with the academies. The "Union District School" of Lodi was reported in 1845 to have a building worth nearly $2000.[32] Pittsford Union School in the same year had prepared students for Harvard College.[33] Palmyra consolidated school in 1848 was provided with a new building and apparatus worth $10,000 and had a total of 400 pupils under eight teachers.[34]

While legislative action did not keep pace with the demands of educational leadership as noted in the foregoing paragraphs, such action as was had must be noted here. With the establishment of the system, provision was made for the joint school or district whose territory was cut by town or county lines. While these districts offered certain difficulties in administration and in reporting, they were very numerous and offered an opportunity for the district system to adjust itself to the needs particularly of villages not wholly within a single town.[35] In 1835, Superintendent Dix had ruled that in the case of united districts public moneys must be applied equally to the benefit of all the pupils, and by an act of 1841 full provision was made for the consolidation and dissolution of districts and the adjudication of property matters in such cases.[36] The same act provided indirectly for the central school plan by allowing districts to "designate sites for two or more school houses." Further general legislation tended to prohibit rather than foster the consolidation of districts, especially the free school act of 1851 which provided that of the public moneys one-third be distributed among the districts, without regard to the number of pupils.[37]

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[31] District School Journal, 5: 108–9; 6:83.

[32] District School Journal, 7:91. This is the first school called a union school in the state laws; cf. Laws of 1846, chap. 207.

[33] District School Journal, 6:57.

[34] District School Journal, 9:76.

[35] Common School Decisions, 1837, p. 225–27.

[36] Laws of 1841, chap. 260. See also Laws of 1846, chap. 66; 1847, chap. 480; 1849, chap. 382.

[37] Laws of 1851, chap. 151. For statements as to the consequent hardship worked by this provision, see the New York Teacher, 1:142–43, 195; Editor Valentine (p. 213–14) attributed the above provision to the representatives from rural districts and said that it put a premium upon the "multiplication and division of districts."

It accordingly became common practice to seek special privileges or powers for individual districts from the Legislature. Without attempting to be exhaustive, the following list of powers granted to a number of progressive schools with typical illustrative legal provisions is offered as showing the tendency of a decade of special legislation for districts exclusive of the cities:

1 Enlarged powers of taxation, generally for building purposes.[38]

2 Privilege of differentiation of rate bills for lower and higher departments.[39]

3 Right to provide free schools.[40]

4 Incorporation as permanent districts, not subject to alteration except by the Legislature, and with powers of trustees becoming those of boards of education or their equivalent.[41]

5 Consolidation or union of school districts.[42]

6 Relief to consolidated districts, so that grant of public moneys on the district basis be not affected by consolidation.[43]

7 Privilege of establishment of a public secondary school, free academy, union school or classical school.[44]

The significance of the first four groups of powers noted above is rather that of indicating the effort of progressive schools to transcend the limitations of the general laws for district schools. The last three groups of activities indicate the specific efforts to provide for higher public education and will be taken up again in the next chapter. In most cases these acts were made contingent upon a past or future vote of the local electorate. As regards the uniting of schools by legislative enactment or reference in the laws to such schools, it should be said that the terms "consolidated" and "union" occur with approximately equal frequency.

e Rise of city systems: monitorial societies paving the way for corporate boards of education. Having noted the establishment of the district system and the tendencies working toward its partial evolution, it remains to trace the special developments in the cities and certain progressive villages. In the main, this development was from the laissez faire policy of the English supplemented by charity

[38] Laws of 1839, chap. 229; 1844, chap. 75; 1847, chap. 264 and 335.
[39] Laws of 1846, chap. 119 and 207; 1844, chap. 175.
[40] Laws of 1847, chap. 336; 1848, chap. 81; 1853, chap. 151 and 344.
[41] Laws of 1848, chap. 81; 1852, chap. 120; 1853, chap. 252.
[42] Laws of 1847, chap. 51; 1850, chap. 293; 1851, chap. 206; 1852, chap. 75; 1853, chap. 305.
[43] Laws of 1852, chap. 75; 1853, chap. 59; 1853, chap. 392.
[44] Laws of 1847, chap. 51; 1850, chap. 321; 1853, chap. 155, 252 and 305.

schools in connection with the churches, through a period of quasi-public control, best and most generally represented in the Lancasterian or monitorial societies, and into the stage of local and largely independent systems, with a board of education or other similar governing body, with special provisions concerning taxes and in some cases specific legalization of higher schools.

The first state common school act, that of 1795, made special provision for the existing cities. In Albany and New York the public money was to be apportioned respectively to the "English schools" and "charity schools." The city of Hudson was to be considered a town for purposes of the law. In 1797,[45] upon petition from the city government of New York stating that the "manner of conducting the private schools" made the application of the general act impracticable, there was passed a special act providing a special method of distribution of the funds and empowering the mayor and council to establish and, with the commissioners of schools, to govern such free schools as might be established with the residue of funds. There is no evidence that these latter provisions were carried out. Fitzpatrick finds that, in spite of the lapsing of the general school law, the cities of New York, Hudson, Albany and Newburgh were comparatively well provided with schools of both secondary and elementary nature at the opening of the nineteenth century.[46] In New York City alone with about 70,000 people, he found listed in Jones's Directory for 1805–6, 141 teachers of private and church schools. Similarly Longworth in 1805,[47] lists 107 teachers exclusive of the teachers of Columbia College and inclusive of the teachers of all but three of the church charity schools. Of these, two were music teachers, one a teacher of philosophy, and one a teacher of mathematics.

In the same year there was as we have seen provision made for the beginning of a common school system on the solid foundation of a permanent fund. There was also initiated the beginning of the Lancasterian movement in the passage of "An act to incorporate the society instituted in the city of New York for the establishment of a free school, for the education of poor children, who do not belong to or are not provided for by any religious society."[48] This followed a memorial of prominent New York citizens in which was stated the fact that the charity schools were not providing for all the children

[45] Laws of 1797, chap. 34.
[46] Op. cit., p. 30–32.
[47] Ibid.; Longworth's New York Register, p. 76–77, 85–86, 162.
[48] Laws of 1805, chap. 108.

of the working classes and that in consequence ignorance and crime, as well as poverty and disease, were becoming a tax on the city to an alarming degree.[49]

While this society was a stock corporation in which membership was attained by a subscription of $8, and the privileges of sending one or two children during life by the payment respectively of sums of $25 and $40, the mayor and council were constituted ex officio members of the corporation and annual reports of the trustees of the corporation were required to be made to the corporation as a whole. In 1806 the first school was opened on the monitorial plan, adapted from the general scheme of Lancaster and made possible through private subscription. In 1807 and again in 1808 substantial aid was given by the city and in 1807 an act was passed enabling the city to appropriate the sum of $4000 for the erection of a building and $1000 yearly, both from the excise funds.[50] In 1808 the society became the "Free School Society" and the restrictions as to pupils were removed.[51] The general act of 1812 having made no provision for New York City, a supplementary act was passed the following year, causing the city and county to share in the distribution of public moneys. The appointment of five commissioners was to be made by the mayor and council and the moneys distributed to charity schools alone, of which several were specified in addition to the Free School Society.[52]

Through the fact that the monitorial plan was used, and consequently few teachers employed, in spite of rapid growth, the society asked for and received the privilege of deviation of such of the public moneys as it saw fit to other purposes than the payment of teachers.[53] Very soon thereafter the Bethel Baptist Church initiated a policy of expansion and in 1822 obtained the same privilege of use of funds. A long and bitter controversy came about in which the arguments of the trustees of the society in opposition to the extension of this privilege to church organizations were mainly, first, that, by the act of 1813, it was anticipated that the Free School Society would minister to the educational needs of all children not

[49] Quoted in full in Bourne, History of the Public School Society, p. 3–4. This is a detailed account of the complete history of the society. Shorter accounts are to be found in Boese, Public Education in the City of New York, and in Fitzpatrick, op. cit.

[50] Laws of 1807, chap. 20. A second like sum was granted for a second building in 1811 (chap. 84) and an additional $500 annually.

[51] Laws of 1808, chap. 111; see also Senate Jour., 1808, p. 176.

[52] Laws of 1813, chap. 52. Later special acts placed other schools under the law, for example, the Female Association, chap. 87, 1813.

[53] Laws of 1817, chap. 145.

already provided for in the church and other charity schools, and second, that the school fund was "purely of a civil character, being for a civil purpose."[54] The Assembly committee on colleges, academies and common schools further raised the question "whether it is not a violation of a fundamental principle of our legislation, to allow the funds of this State, raised by a tax on the citizens, designed for civil purposes, to be subject to the control of any religious corporation." By an act of 1824 the controversy was settled whereby the society became in large part the recognized agency of public instruction in the city, although ostensibly it merely provided for closer civic control through the appointment of a body of ten commissioners upon whom were placed the obligation of reports to the State Superintendent based on visitation, and who were constituted guardians of the public funds and their distribution.[55] Of still more importance in determining the public functioning of the society was an act of 1826, changing the name to the Public School Society, and enabling it to charge a small fee, with the specific end of extending the work of the society to include all children, thus sounding the death-knell of the charity idea. The pay system was soon found objectionable and was abandoned in 1832.[56] This act also made permissible the transfer of the society's property to the city, with perpetual lease therefrom for educational purposes.

In the meantime the system had been adopted widely throughout the cities and larger villages of the State. Recommended in 1812 by the commissioners who drafted the general plan of organization of the state school system for the "serious consideration of the Legislature,"[57] advocated in the annual report of Superintendent Hawley in 1818 for adoption in the larger villages and cities and still more ardently advocated by Governor DeWitt Clinton in his annual messages of 1818, 1820, 1822, 1826, 1827 and 1828, the monitorial plan was incorporated in a general law in 1821 when provision was made that these schools might incorporate and place themselves under the control of the Regents but with aid from the common school fund.[58] Hough believes that but four schools were

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[54] Bourne, op. cit., gives the full discussion with documents relative thereto, p. 48–75. See also Memorial to Legislature of January, 1823, and Nineteenth Annual Report of the Board of Trustees, 1824.

[55] Laws of 1824, chap. 276.

[56] Laws of 1826, chap. 25.

[57] Assembly Jour., 1812, p. 102–8.

[58] Laws of 1821, chap. 61. See also as amended in Revised Statutes, 1829, chap. 15, title 1, art. 6, sec. 57–66.

incorporated under this act, two becoming typical academies and two select schools.[59] Special acts instituting local systems were passed as follows: Albany, 1812 (chap. 55); Poughkeepsie, 1814 (chap. 42); Schenectady, 1816 (chap. 12); Catskill, 1817 (chap. 77); Hudson, 1817 (chap. 272); and Lansingburg, 1827 (chap. 271). In general the acts of establishment provided for a limited amount of public support with the proviso that the societies should be responsible for the education of indigent children. However, the practice of admitting other children as pay pupils was practised, at least in Albany.[60] The general laws of the State placed certain of these schools under the general act to the extent of receiving the state moneys of the city or district. Such systems were also established in Utica,[61] in Troy,[62] Ithaca, Brooklyn, Buffalo and Rochester and no doubt in other large centers of population. Meanwhile by legislative enactments of 1829 and 1831,[63] New York City was raising taxes equivalent, respectively to one-eightieth and three-eightieths of 1 per cent of the valuation of her property, the major part of which went to aid the Public School Society.

As early as 1830 the insufficiency of these private monopolies was seen in certain of the cities where the movement was less extended than in New York, and in 1830 we find the city of Albany authorized to establish the district system.[64] The Superintendent in the following year pointed out the needs of better school facilities in Utica and Poughkeepsie where the Lancasterian schools received in the one case all and in the other case the greater per cent of the school moneys but provided for a very small minority of the pupils. In the annual report of 1841 (p. 32–35), the subject came up again for special discussion and the systems of Poughkeepsie, Hudson, Utica and Schenectady where the monitorial societies were still in major control were found to be offering very meager facilities, as opposed to certain cities where city organization had been established by recent legislation. The Superintendent held that the Lancasterian system had fallen behind the needs of the times and that it was as a private institution without the control of the State. Gradually

[59] Op. cit., p. 429–32.
[60] Amer. Jour. of Ed., 1:440–41.
[61] Laws of 1817, chap. 192, sec. 27–29. See also History of Oneida County, p. 315 ff.
[62] Spafford, op. cit., p. 524.
[63] Laws of 1829, chap. 265; 1831, chap. 119.
[64] Laws of 1830, chap. 240.

the schools of these societies were merged with those of the cities and there passed out of existence the system which had done much to prepare the way, even if negatively in some cases through the offering of meager facilities, for free schools and organized systems of city schools.[65]

In New York City, the organization of the Public School Society, whose function we have seen was extended in 1826, was maintained until 1853. Some of the more significant steps in its absorption by the municipality will now be noted, as well as its important extensions of functioning. In 1822 the board of trustees took up the question of providing facilities in the "higher branches of an English education," namely, geography, grammar and history.[66] In 1826 the annual report lists the tuition rates for the elementary subjects and adds a special rate for "grammar, geography, the use of maps and globes, book-keeping, history, composition, mensuration, astronomy, etc.," and by 1830, a small number of pupils are listed as studying these subjects. In the year 1826 also there was an effort to establish a central school for the twofold purpose of training teachers for the monitorial system and for a means of promotion of the more meritorious students.[67] Again in 1828, together with the effort to bring about the support of the society's schools entirely through taxation so that the schools might minister to the needs of the whole community and not only to those who were the objects of charity, the desirability was presented of establishing high schools in which practical mathematics, bookkeeping and natural philosophy should be taught, a classical school for the languages and a seminary for the training of teachers in the monitorial method.[68] Through a variety of causes, naught came of these ideals but a slight advance in the amount of the local tax, a steady but slow development of the curriculum upwards and by 1834 the establishment of Saturday normals. The monitorial method came to be adapted more and

[65] Acts were passed legalizing such amalgamations as follows: Schenectady, 1828 (chap. 223); Catskill, 1830 (chap. 284); Albany, 1834 (chap. 230); Hudson, 1841 (chap. 350); Lansingburg, 1841 (chap. 315); Poughkeepsie, 1843 (chap. 211); New York, 1842 (chap. 150) and 1853 (chap. 301).

[66] Palmer, The New York Public Schools, p. 61.

[67] Amer. Jour. of Ed., 1826, 1:693.

[68] Address of the Trustees, 1828. Also, 23d Annual Report. The 24th Report favored a "system of public free schools . . . a system of schools supported by public taxes and to which children of all classes may resort as a matter of right."

more to the needs of the schools,[69] and from 1828 on a visitor or agent, or superintendent as he was sometimes called, acted as a means of providing business supervision and semiprofessional administration.[70] Scholarships granted by Columbia (1839) and by New York University were considered as late as 1842 as providing ample facilities for those desiring higher education.[71] The more immediate cause of the abrogation of the privileges of the society was the renewal of the religious controversy from 1832 on. The leaders of certain of the religious organizations which through the law of 1826 had been deprived by the council of their former support renewed charges of sectarian texts as well as demanded aid in teaching their poor children.[72] Upon the careful consideration and report of the Superintendent of Common Schools and the annual message of Governor Seward in 1842, there was established a parallel system of public schools, controlled by the first specifically named "board of education" of the State,[73] on the ground that the system represented a departure from the general organization of the state school system. The victory in principle at least was won for complete divorce of religious or sectarian participation in education and for the quasi-private method of organization and control. By 1853 the reorganization of the city's common schools was effected by the legal and voluntary surrender of all the property of the Public School Society to the board of education.[74]

This somewhat extended survey of the Lancasterian schools has been deemed essential as indicating the contribution they made to the development of state and city systems. The high favor which the method enjoyed in the eyes of the early educational leaders was undoubtedly a factor in establishing the common school system and providing the common school fund.[75] The people of the cities through the adoption of these schools become used to the principle of free schools. The schools were classified and higher subjects were introduced in the upper departments.[76] Moreover granting

[69] Annals of Education (1836), 6: 435–36.

[70] Palmer, op. cit., p. 78–79. Also Annals of Education, 4: 335–36; 2: 412. Also Griscom, J., Monitorial Instruction, p. 21.

[71] Sketch, 1842, p. 34. Cf. Renwick, Life of DeWitt Clinton, 1840, p. 85.

[72] Randall, op. cit., p. 119–38.

[73] Laws of 1842, chap. 150.

[74] Laws of 1853, chap. 301; Bourne, op. cit., p. 585.

[75] Report of the Commissioners for the Organization and Establishment of Common Schools, Assembly Jour., 1812, p. 102–8; quoted in Randall, op. cit., p. 17–23. See also Renwick, Life of DeWitt Clinton, p. 81.

[76] As to Buffalo, see Assembly Documents, 1840, no. 307; for New York, see annual reports of the Public School Society, from 1830 to 1853.

special privileges to the cities established the practice of special legislation and enabled the cities for the time being to run ahead of the state system, and thus assume the leadership of the State. By 1845 cities and larger villages had free schools to such extent that from one-fifth to one-fourth of the people were enjoying such privileges in the State as a whole.[77]

Reference to table 6 will indicate the progress from the district system or from the charity and monitorial schools in the various cities of the State, previous to 1853. Several villages, including Lockport, Salem, Poughkeepsie, Medina, Geneva, Newburgh and Flushing, merit a place in this table but it has been limited to the cities. It will be seen that the first city to take a definite step forward was Buffalo, in which, by an act of 1837, the common council became ex officio a board of school commissioners with the power to appoint a superintendent of schools as its "executive officer." In the period covered, the office was established in more than half the cities and in those where no such office was established, the clerk of the board generally performed such duties, largely of a business and clerical nature. In the columns of the New York Teacher for 1852, the official organ of the State Teachers Association, note was made that in that year in Buffalo for the first time a professional teacher was appointed superintendent of schools.[78] Of even greater import for this period, was the establishment of boards of education or boards of commissioners of common schools, beginning with the delegation of certain powers to the common council or the district trustees of the various district schools. Generally elected by the constituency of the various wards or districts, this body tended to take on the power of appointment of the superintendent. Moreover it was made a corporate body with powers equivalent to those of district trustees but with enlarged functions as to the organization of schools, "such and so many" as they deemed expedient, of classification and transfer of pupils, of certification of teachers, of determination of courses of study and of furnishing the common council with estimates of needed funds usually stipulated by law as from twice to six times the amount of state aid. Progress was rapid in the development of a larger type of building and school, extended programs of study and increased facilities for education. Table 6 has been expressed in terms of

[77] Sup't Rep't, 1849, p. 43-44, 47.
[78] Op. cit., p. 65. Ibid, p. 159, as to Auburn.

the legislation, as these special acts were uniformly carried out, since they were expressions of public sentiment. For a more complete statement of the growth of city systems, the reader is referred to the brief individual histories given in the 1904 annual report of the Department of Public Instruction, under the caption "Fifty Years of Education."

TABLE

Significant developments in cities of

CITIES	EARLY STEPS TOWARD SYSTEM	BOARD OF ED. OR COMM'RS OF COMMON SCHOOLS
Albany (1686)	L. 1830, ch. 240, provides for dist. system	L. 1844, ch. 128; ex. off.[3].
Auburn (1848)	L. 1848, ch. 106, considers city equiv. to town [2]	L. 1848, ch. 106, ex. off. L. 1850, ch. 349; in part app.
Brooklyn (1834)	L. 1835, ch. 129, app. 3 comm'rs and 3 inspectors for city	L. 1843, ch. 63; app. and in part ex. off. L. 1850, ch. 143; app.
Buffalo (1832)	L. 1837, ch. 392; city equiv. to town	L. 1837, ch. 392; ex. off..
Hudson (1785)	L. 1795, ch. 75; city equiv. to town; L. 1829, ch. 61; each ward equiv. to town	L. 1841, ch. 350; ex. off..
New York City (1686)	L. 1826, ch. 25; Public School Soc.	L. 1842, ch. 150; elect.[4]..
Oswego (1848)	.....	L. 1853, ch. 119; elective.
Rochester (1834)	L. 1834, ch. 199; city equiv. to town L. 1850, ch. 262; city equiv. to dist.	L. 1834, ch. 199; ex. off. L. 1850, ch. 262; app.
Schenectady (1839)	L. 1814, ch. 27; wards equiv. to towns	.....
Syracuse (1847)	L. 1832, ch. 203, creates Syracuse a permanent dist.	L. 1848, ch.[5] 238; app....
Troy (1816)	L. 1849, ch. 198; all wards one dist. L. 1851, ch. 366; each ward a dist.	L. 1849, ch. 198; elect....
Utica (1832)	.....	L. 1842, ch. 137; elect...
Wiillamsburg (1851)	L. 1841, ch. 181, const. 3 separate school dists.	L. 1851, ch. 171; elect....

[1] In general, where no superintendent was provided for, the office was filled by a clerk with similar duties.

[2] Acts constituting the city or wards districts, were for the purpose of making provision for the execution of the general law which was a district school law, with the town as unit of more extensive nature.

[3] Ex officio boards usually consisted of the common council and mayor, except in case of Albany where the mayor, recorder and local Regents made up the board; if the boards were in part ex officio, the additional members were the mayor and recorder, usually.

6

New York State previous to 1853

CITY SUP'T[1]	FREE SCHOOLS	PROVISION FOR HIGHER PUBLIC EDUCATION
.....	.....	L. 1844, ch. 128, provides that indigent pupils be taught free in local academies, or normal school
L. 1848, ch. 106; elective L. 1850, ch. 349; app.	L. 1850, ch. 349.....	.....
L. 1848, ch. 8; app.....	L. 1843, ch. 3.....	.....
L. 1837, ch. 392; app. L. 1853, ch. 230; elective	L. 1838, ch. 63.....	L. 1853, ch. 230, provides for central school
L. 1841, ch. 350; board of 3 superintendents, app.	L. 1841, ch. 350.....	.....
L. 1851, ch. 386; app....	L. 1842, ch. 150.....	L. 1847, ch. 206, provides for free academy
L. 1848, ch. 116; elective.	L. 1853, ch. 119.....	.....
L. 1841, ch. 208; app. L. 1848, ch. 174; elect. L. 1850, ch. 262; app. by board	L. 1841, ch. 208.....	L. 1834, ch. 199 and L. 1845, ch. 118, provide for high schools[6]
.....	.....	L. 1837, ch. 95; Schenectady Lyceum to educate one pupil from each town of co[7]
.....	.....	L. 1848, ch. 238, provides for "high schools"[6]
.....	L. 1849, ch. 198.....	.....
.....	.....	L. 1853, ch. 272, const. Utica Academy one of common schools
.....	L. 1844, ch. 181.....	L. 1851, ch. 171, provides for a high school or academy; not established

[4] See earlier pages for the place of the Public School Society in providing the equivalent of common schools, without charge except in the years 1826–32. With the county superintendent law, 1841–47, this officer practically became a city superintendent. New York was excepted in the repeal. The last county superintendent became the first city superintendent.

[5] Duties of superintendent performed by the clerk; see School Bulletin, 1: 2, or Smith, History of Syracuse Schools, p. 68 ff.

[6] Not true high schools; monitorial probably and really intermediate in nature.

[7] Laws of New York, 1854, chap. 178, creating union school in city.

Summary of Educational Development in New York State to 1853

By the middle of the century, New York State had a population of more than three million. The second quarter of the century had seen a remarkable development of factory industry.[79] In 1825 the Erie canal was opened and proved an additional inducement for westward migration. Progressive villages and young cities grew up along its route in what was practically a wilderness at the beginning of statehood. After 1825 the building of railroads had gone on uninterruptedly, until in 1853 the nine little roads between Albany and Buffalo were consolidated in the New York Central system. The constitution of 1821 provided for the removal of property qualifications for suffrage and paved the way for the development of democratic institutions and attitudes; that of 1846 strengthened the administrative machinery of the State, and provided for the better regulation of corporations and business interests. Before turning to further educational developments, which, for our purpose in a study of the high school, begin with the union free school act of 1853, let us summarize educational progress to 1853 as reviewed in the present chapter.

1 The Dutch public school tradition, itself akin to the early educational enterprise of the New England States except as regards local autonomy, suffered markedly upon the transfer of political power to the English. The latter's practice of voluntary schools for the upper classes and charity schools for the poor was the contribution of their rule to the State. The Latin grammar school had been too sporadic a development, although public under each régime, to establish any significant precedent.

2 The comparatively rapid development of the academies was due to the lack of earlier school facilities, together with the support afforded by both general funds and special grants.[80] Moreover in the second quarter of the nineteenth century, their curriculums had so extended that it would seem safe to say that the opportunities of following out one's tastes could, within the limits of the status of the subjects, be realized more than for any other period. College domination was never strong, and the academy was regarded as

[79] See Spafford, A Gazeteer of New York State, 1824, for a mass of concrete evidence on the status of home and factory industry at the opening of the second quarter.

[80] The practice of special grants by the Legislature had practically died out by 1826, to which time (1800–26) 18 academies had been granted approximately $30,000 and in lands ten whole lots and two part lots; compiled from Senate Documents, 1837, no. 32.

the fair equivalent and a rival of the college, which up to this time had not developed along professional lines other than medicine. Moreover while the colleges were still required to report to the Regents, support from the State was practically cut off while that to the academies had been increased continually. By 1850 there were approximately 200 reporting secondary institutions in the State with nearly 20,000 academic pupils or about one to every 150 inhabitants. However, of the various experimental or atypical institutions developing in largest number from 1826 to 1840, few had survived except the female academies. This failure to keep fully abreast of the newer educational demands meant a certain degree of competition with the public school system and with the complete acceptance of the free school principle the contest was bound soon to favor the latter.

3 The Lancasterian or monitorial system from 1895 on, at least until 1840, was adopted generally in the cities, and as a quasi-public institution bridged the transition from charity and private schools to full-fledged city systems. In a few instances, the steps toward crowning these systems with the tax-supported high schools had been taken and in three instances such schools had been admitted into the University.[81]

4 The common school system, well organized by 1820, extended in numbers of districts and pupils through the twenties and thirties, had in the forties been moving forward until through better supervision, recognition of the advantages of taxation, and of consolidation in more densely populated centers, there were here and there in the villages of the State as well as in the cities a number of schools which had transcended the limitations of the early district system. Through extended curriculums, better teachers, and an advanced public sentiment because of the voluntary activity of the thirties, a generation was being educated which considered the public school the best means to advancement in all professions and walks of life. Progressive leaders had long asked for the provision, by restoration of former offices and former privileges and by establishment of new features, of such measures as would place the New York system again in the forefront as it was generally supposed to have been in the late twenties.[82]

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[81] See tables 6 and 7.

[82] For a summary of the recommendations of this period, see the New York Teacher 1852–53, 1:3 72–78, 78–81, 213–15, 351–53.

Chapter 2

Legal Status of the New York High School System

The University of the State of New York had been created for the purpose of stimulating and directing secondary and higher education in the academies and colleges. On the other hand the common school system under the Superintendent of Common Schools, had not by the middle of the century been accepted, as was the case in New England and the newer states to the west of New York, as capable of extension upwards into the secondary field. Consequently the first phase of legislative activity, and a phase which remained significant until about 1870, was that of special legislation for individual localities. The unique feature developed in the New York plan, however, was the "union free school" with its academical department (high school), and this became the bridge between the two systems and ultimately the means to their union. No constitutional provisions for education were made until 1894, except to safeguard the various school funds and their use. In that year the constitution made it obligatory upon the Legislature to establish and maintain a system of common schools,[1] this system having by that time expanded to include several hundred high schools. No significant New York State court decision ever fully defined this changed conception of the common public school.

The present chapter will treat of legislation and official rulings of like binding nature, as they determined the establishment and development of the system of high schools. Numerous details will be left for treatment in the following chapters in connection with the description of the system.

1 Special Legislation concerning Individual Academies and High Schools

a Provisions for public support and control of certain academies. There seems little doubt but that until well toward the middle of the nineteenth century, the academy was regarded as providing the solution of secondary education in the State. Evidence of this fact is found on the one hand in the local interest in and hearty support of this type of school, and on the other hand in the views expressed in the state documents on education. With no permanent and influen-

[1] Constitution of New York, 1894, art. IX, sec. 1.

tial Latin grammar school tradition as in New England, the state promotion of the academy was practically contemporaneous with the general promotion of education in the State. Aside from the general laws designed to enable the academy to serve various state educational functions, numerous special acts were passed, by which certain academies for longer or shorter periods of time took on more completely the nature of the public high school, and in which were foreshadowed most of the distinctive features of the high school.

In 1810 the custom of local town taxation for the support of the academy was probably first practised, the instance being that of Washington Academy at Salem after the burning of the academy building.[2] Although this practice did not at any time become very general, several schools were allowed by legislative action in the decade of the thirties to enjoy the benefits of town tax.[3] Each act seems to have arisen out of some such special need as that cited above and to have been a substitute for the earlier practice, now largely discontinued, of making special state grants of money or land to academic institutions.[4] When the right of the town of Gouverneur to levy taxes for the support of the local academy was called in question in 1839, the report of the committee on ways and means was unfavorable on the ground that the town had no corporate interest in and no control over the institution,[5] but a select committee reported favorably and later the Legislature took action, establishing the right of a town to tax itself for what were considered its own interests.[6] With the later increase in the state apportionment, the practice was largely discontinued except for a sporadic cropping up in the late fifties and following.[7] The practice at this period, as established in 1839, was that of permitting the vote of the local electorate on the question.

Following the establishment of the common school system, a similar series of acts granting to local academies privileges as regards the districts and district schools of their neighborhoods is indicative of the close relationship of these institutions to the community life. In 1814 the Erasmus Hall Academy was permitted to receive the

[2] Hough, op. cit., p. 720.
[3] Laws of 1833, chap. 249; 1834, chap. 21; 1835, chap. 169, 241; 1836, chap. 63; 1837, chap. 151; 1839, chap. 69; 1841, chap. 265; 1842, chap. 281.
[4] Senate Jour., 1825, p. 677–78.
[5] Assembly Documents, 1839, no. 196.
[6] Assembly Documents, 1839, no. 253; Laws of 1839, chap. 69.
[7] Laws of 1856, chap. 119; 1857, chap. 270, 452; 1867, chap. 50, 373; 1868, chap. 405, 610; 1869, chap. 424; 1871, chap. 130.

public school moneys of the Old Town of Flatbush on condition that free instruction be given the indigent children of the district and that reports be made to the school commissioners thereon.[8] Within the next decade acts were passed empowering the trustees of three academies to serve as the trustees of the local districts, to receive and disburse the school moneys and, upon vote of the district, to act as ex officio trustees of the districts.[9] Similarly the privilege was occasionally given of the transfer of the property of the district school to the trustees of the local academy.[10]

A third type of special legislation for academies indicates to what extent the academy came to be considered a town or city institution. Various schools were granted the privilege of building upon the village square, the academy building being considered one of the "public buildings."[11] The academy building was frequently, in fact generally, the place of public meetings, in many places the upper story being used for the town hall.[12] From 1833 on, a number of acts of incorporation by the Legislature stipulated that the board of trustees be made up in part of ex officio civil officers, in the case of the cities, the mayor and council.[13] In the case of Ogdensburg Academy, the act of incorporation provided for a town tax of $2000 in order to furnish a lot and building. The town supervisor, the town clerk and the clerk of the board of village trustees were made ex officio members of the academy board of trustees and the local districts were accredited in scholarships with their proportionate amount of taxes toward the academic education of the children of these districts.[14] The Schenectady Lyceum and Academy, although provided with no municipal aid, was required to educate gratuitously in the recognized secondary branches one pupil from each town, provided that such pupil was a member of the common schools

[8] Laws of 1814, chap. 79; 1844, chap. 234.

[9] Laws of 1815, chap. 90 (also 1835, chap. 138); 1822, chap. 197; 1823, chap. 150. Respectively Montgomery, Farmers Hall and Oysterbay Academies.

[10] Laws of 1827, chap. 15 (1828, chap. 125); 1830, chap. 115. Respectively Rensselaer Oswego Academy (later known as Mexico Academy), and Palmyra High School. See also the Troy Academy, Laws of 1834, chap. 295.

[11] Laws of 1825, chap. 260; 1832, chap. 127, 230. Respectively St Lawrence, Fort Covington and Vernon.

[12] See Utica Academy; in addition to serving as town hall, the academy building became the county court house, Assembly Documents, 1839, no. 98.

[13] Laws of 1834, chap. 295; 1835, chap. 254 (also 1850, chap. 49); 1853, chap. 33. Respectively Troy Academy, Rensselaer Institute, and Packer Collegiate Institute.

[14] Laws of 1833, chap. 249; 1834, chap. 173; 1835, chap. 118; 1857, chap 382.

of his town and was certified by the town inspectors of common schools.[15] The trustees of the Rochester Collegiate Institute were by statute required as all district schools to report annually to the city board of education.[16]

In conclusion it may be said that no one of these types of special and public functions of relationships became general enough to be of real promise in changing the status of the academy, although on the other hand the number of institutions affected by all types of such special legislation is quite large. After 1840 legislative interference in the incorporation of secondary institutions waned. About the same time the district schools through growth, classification of pupils and improvements in the quality of the teaching staff, were in many cases coming to rival the academy, so that as would naturally be expected the beginnings of public secondary education came about from them as its source.

b Authorization of individual high schools. The source of general legislation permitting the establishment of public secondary schools is not to be found directly in the granting of special privileges to academies but in the legislation, actual and proposed, creating in various villages and cities union schools and free academies. We have already seen that the early corporate "high schools" had in a few cases been established as common and union schools under the control of district trustees and that in particular the Rochester High School had as early as 1827 been established to all intents and purposes as a public high school on the monitorial plan, though it speedily succumbed to the prevailing tradition of private control in secondary education.

Early in the year 1845 there was presented to the Senate a petition from citizens of the village of Avon in Livingston county, which, though unsuccessful, is significant in that it pointed definitely to later legislation and showed the obstacles in the way of a public secondary system. The privileges sought included the consolidation of the districts comprising the village and, in addition, the transfer of the property of the Avon Academy from the board of trustees to that of the district trustees of the proposed union district for the sum of $1200 with the right to continue secondary or classical instruction under the visitation of the Regents. Such a bill was favorably reported by the literature committee and later by a select committee of senators comprising the representatives from that

[15] Laws of 1837, chap. 95.
[16] Laws of 1844, chap. 145.

senate district, but after being engrossed for a third reading was referred to the Board of Regents.[17] This body in a written report which was accepted by the Senate found the proposed bill unacceptable, as it would establish the following precedents as regards the state's educational policy:[18]

1 The union of the common and academic systems with consequent twofold visitation and inspection.

2 The granting of common school moneys and the income of the literature fund to the same institution, thus opening the way for duplicate returns of pupils.

3 The lowering of the minimum of the required valuation of the property, real and personal, of the institutions within the University which at that time stood at $2500.

The report further included a defense of the practice of granting state aid to the academies and of the conduct of those who through the payment of taxes contributed largely to the support of the common schools and yet sent their children to the academies.

In the same year a petition from the trustees of the Clarkson Academy asked for the dissolution of that corporation with the right to return to the stockholders the money derived from the sale of the property, on the ground that a rival institution was drawing the students.[19] The minutes of the Regents record a verbal statement from the same source to the effect that it was planned to establish a high school in connection with the district school in the place of the academy, a step which was legalized in 1859. This petition evoked no action at the time other than the decision of the Regents that they did not possess the power to dissolve the corporation, and that the stockholders might dispose of their permanent fund, if deemed advisable.

Two years later a similar request from inhabitants of Fayetteville, Onondaga county, was sent to Mr Hawley, secretary of the Board of Regents. While it was also refused, note was made of the fact that the desire was increasing "in several of the villages of the State, to unite their school districts and academies" and a resolution was passed appointing a committee, which seems not to have reported, to "inquire whether such proposed unions may not be legalized under a general enactment without impairing the efficiency of the present common school and academic organizations."[20]

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[17] Senate Jour., 1845, p. 222, 259, 404, 412, 418, 421, 443, 477, 554, 599.
[18] Senate Documents, 1845, no. 105; also Regents Minutes (MSS), v. 5, p. 72–74.
[19] Regents Minutes (MSS), v. 5, p. 58–59.
[20] Regents Minutes (MSS), v. 5, p. 188–89.

In 1849 the request was renewed and this time it was referred (as also was the Avon petition) to the Secretary of State in his official capacity of adjudicator of common school controversies and also as a member of the Board of Regents. His decision was to the effect that the academy trustees could not sell a part of their building to the trustees of the proposed union school but could lease it in whole or in part.[21] He left unsettled the advisability and legality of the union of the elementary common schools with neighboring academies.

In 1847 the Assembly committee on colleges, academies and common schools reported that numerous petitions had been received requesting the establishment of union schools, and expressed a favorable opinion as to this type of school organization.[22] In the same year the high school movement may be said to have been definitely started with the establishment by special acts of the Lockport Union School and the New York (City) Free Academy.[23] These institutions were the result of progressive local sentiment, which was expressed in petitions to the Senate.[24]

In the Lockport act, provision was made for the creation of a school board consisting of one trustee from each of the existing seven districts, which by this act became primary districts with free tuition, together with five other members representing the union district as a whole. The act differed from numerous similar acts of the decade previous in that it empowered the board of the "union school district of Lockport" to organize a "union school" for the older pupils, which was to be supported in part by tuition and in part by taxation. The New York act created a special executive committee of the board of education which had been organized in 1842. This committee was to act in behalf of the board in all matters relative to the maintenance and administration of the free academy. Furthermore, on the basis of an annual report, the details of which were specified, the academy was to share in the distribution of the literature fund income. In 1850 a supplementary act was passed, renewing the right of the Lockport board of education to collect tuition fees from the pupils of the union school and also placing the school under the visitation of the Regents. The establishment and early history of these two institutions will be traced briefly in the succeeding chapter.

[21] Regents Minutes (MSS), v. 5, p. 357, 361.
[22] Rep't of the com. on colleges, academies and common schools, p. 7–8.
[23] Laws of 1847, respectively chap. 51, 206.
[24] See Senate and Assembly Jour., 1847, for the history of these acts before the Legislature (consult index).

No similar acts were passed in the following year but in the five years 1849 to 1853 inclusive, eight other cities and villages were granted the special privilege of making provision through their boards of education for public secondary school facilities. Reference to table 7 will indicate the fact that these facilities were provided in two different ways, either through the amalgamation with the common school system of the local academy, as in Fort Covington, Salem and Utica, or through the establishment of a higher department of the common schools designated as the case might be academy, high school, classical school or central school.

TABLE 7

Analysis of special laws creating public secondary schools antecedent to the union free school act of 1853

NAME OF SCHOOL	ENABLING ACT	SUPPORT	REMARKS AND SPECIAL FEATURES
Lockport Union School....	L. 1847, ch. 51	Taxes and tuition	L. 1850, ch. 77, forbade the use of taxes in payment of teachers' salaries
New York Free Academy..	L. 1847, ch. 206	Taxes	L. 1851, ch. 386, limited the literature fund allotment to purchase of library books
Medina Academy.....	L. 1850, ch. 321	Taxes and tuition	L. 1849, ch. 286, had created a board of education for the village joint school district
Williamsburg (academy or high school)	L. 1851, ch. 171	Taxes	Consolidated with Brooklyn, 1855
Washington Academy (Salem)	L. 1851, ch. 206	Taxes and tuition	L. 1851, ch. 206, provided like Lockport act for consolidation of districts; permitted board to lease academy building
Fort Covington Academy..	L. 1853, ch. 155	Taxes and tuition	L. 1853, ch. 155, permitted transfer of property of board of trustees of the old Fort Covington Academy
Buffalo Central School.....	L. 1853, ch. 230	Taxes	L. 1853, ch. 230, revising the city charter provided that in the central school be taught the "higher branches of English education, authorized by the common school law"
Geneva Union School.....	L. 1853, ch. 252	Taxes	L. 1853, ch. 252, was the culmination of a series of acts granting special privileges to school district 1 in the town of Seneca
Utica Academy.....	L. 1853, ch. 272	Taxes	L. 1853, ch. 272, created the academy one of the common schools under the existing board of school commissioners
Pulaski Academy.....	L. 1853, ch. 305	Taxes	L. 1853, ch. 305, consolidated schools of village

In Geneva, which had had a union school since 1839, no board of education was specifically created but the school trustees were granted equivalent powers. In all except Buffalo and Williamsburg, which schools were not organized as a result of these acts, the provision was made that the newly constituted public high school

remain or become subject to the Regents ordinances and upon meeting their requirements be entitled to share in the distribution of the income of the literature fund. Three of these schools were by 1853 regularly participating in the privileges of the University, Lockport, New York and Medina,[25] in addition to Utica and Washington which had remained under visitation.

Even after the general union free school act of 1853 (see the following section), the practice of special legislation was continued so that in the first decade, that is from 1853 to 1864, twenty-three such acts of establishment of individual schools were passed, and by 1870 a total of thirty-seven. Of these, fourteen provided for the transfer of existing local academies. The causes of this continued demand for special legislative interference may be found on the one hand in the desires of trustees of the academies to guarantee the use of the academy property and endowments to the cause of secondary education and in a number of cases to retain a degree of control in the future administration of the school, [26] and, on the part of the boards of education, to ensure a permanent legal establishment of the new venture at a time when many interests were hostile to public higher education or to secure special rights not granted in the general law.[27]

After 1870, although there continued to be many special acts for various educational needs of a local nature including numerous legalizations of transfers of academy property, enabling acts are seldom found, except that in the later city charters, following a practice begun in the second quarter of the century, boards of education were given among other duties those of providing and maintaining high schools subject to the need and demand therefore.[28] An interesting illustration of the persistence of a practice once begun is seen in the acts which enabled Brooklyn and New York cities in the last decade of the nineteenth century, to create and finance high schools, nearly a half century after the high school movement began.[29]

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[25] Regents Minutes (MSS), v. 5, p. 335, 360, 425, 484.

[26] Laws of 1857, chap. 382; 1858, chap. 370 (1867, chap. 7); 1864, chap. 40, 318; 1865, chap. 520.

[27] Laws of 1855, chap. 550 (1856, chap. 129); 1857, chap. 387 (1870, chap. 306); 1863, chap. 69; 1864, chap. 401.

[28] Laws of 1895, chap. 568; 1905, chap. 273; 1908, chap. 458.

[29] Laws of 1893, chap. 26; 1896, chap. 387; 1897, chap. 412, 502.

2 Legislation concerning Union (Free) Schools

a Union school act of 1853. Having seen the interest from 1840 on in the establishment of union schools, and in the foregoing section the beginnings of the development of public secondary facilities in a few localities, it becomes the purpose of this section to note the essential features of the act "for the establishment of union free schools" passed June 8, 1853.[30] This measure was the natural culmination of the above-mentioned movements (see table 7), but was the more direct outcome of numerous petitions presented to the Senate in 1852 and 1853. In the former year there was received a request from the board of trustees of the Warsaw Union School praying for an appropriation from the income of the literature fund.[31] In the same session, the committee on literature asked for and received an extension of time until the next session to report on sundry general bills, among which was a petition concerning union schools.[32] Early in the session of 1853 a bill was introduced, among numerous similar bills, which provided for incorporation or relief renewing the request from Warsaw. This was referred to the committee on literature and as a result relief acts were passed for Warsaw and Sherburne, and the general act, granting an extension of the privilege of establishing academical departments in union schools, received the unanimous vote of the Senate April 8th. Two months later it was passed by the Assembly by a vote of 69 to 21.[33]

Apart from the general significance of this act in stimulating the consolidation of schools and placing them under the type of control which had been worked out effectively in the larger and more progressive cities and villages, this unique law which was entirely permissive in its nature made the following important provisions, each of which was based upon the special acts of the last decade preceding:

1 That the legal voters of a district or two or more contiguous districts might, under definite restrictions, create in special meeting a board of education.

2 That these boards should be considered corporate bodies with the obligation of the annual preparation of a school budget to be submitted in incorporated villages and cities to the municipal authorities and in other districts to the voters.[34]

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[30] Laws of 1853, chap. 433.
[31] Senate Jour., 1852, p. 252.
[32] Op. cit., p. 649.
[33] Senate and Assembly Jour., 1853 (consult index).
[34] The district was much earlier considered a "legal corporation"; see Sup't Rep't, 1839, p. 18.

3 That these boards of education in addition to other defined powers might (*a*) establish in the union school an "academical department" with full powers in the matter of tuition, transfers of pupils, texts and supplies, or (*b*) arrange with the trustees of a local academy, upon their unanimous vote, to take over such school and become trustees of it as the "academical department."

4 That such departments should be subject to the visitation and control of the Regents as far as regards the course of study, and the qualifications of entering pupils, but not in regard to the building except in instances where the lower common schools were kept in separate buildings.

5 That existing special laws were not to be interfered with by this act but that union schools established under the general act were to come under the jurisdiction of the state common school department to the extent that a copy of the call and minutes of the organization meeting be filed with the State Superintendent and that no school was to lose its quota of apportionment for a period of five years as a result of consolidation.

6 That the academical departments were to "enjoy all the immunities and privileges now enjoyed by the academies," the money from the literature and other funds to be appropriated with that from the common school fund to their proper uses in the two departments.

It will readily be seen that the net result of this act so far as it concerns us here was the permission given now to corporate boards of education, which was formerly given only to boards of trustees of academies, to establish academical departments which were, in the accepted terminology in other states, high schools. These were not to supplant but to supplement the academy system, which had been established nearly seventy years previously.[35] For admission to University privileges these new departments or schools had to conform, as had the few established by special acts from 1847 to 1853, to the ordinances of the Regents. Reference will later be made to the requirements of the Board. Inadequacies were early discovered in the law and discussed fully in the annual reports of the Superintendent.[36]

No important change was made until the recodification of 1864. It should be noted, however, that there was passed in 1862 the following act:

> Any union school in this State duly organized according to law, by complying with the requirements of the "Regents of the University" shall be entitled to all the benefits and privileges of the academies in this State.[37]

[35] A discussion of terminology is reserved for the next chapter.
[36] Sup't Rep'ts, 1856, p. 19–20; 1861, p. 15.
[37] Laws of 1862, chap. 450.

This act appears unnecessary except as a means of giving a degree of confidence to local school authorities contemplating coming under the provisions of the act of 1853. That there was a lack of clear interpretation and comprehension of that act is seen, first because there appear to have been but 25 schools organized on the union school plan in the first two and a half years after the passage of the act and second because of some 30 high schools received by the Regents from 1853 to 1862, over 80 per cent were created by special legislation.

b The Consolidated School Law of 1864 and its later revisions with reference to union free schools. By "an act to revise and consolidate the general acts relating to public instruction," passed May 2, 1864,[38] a thoroughgoing revision of the union free school act of 1853 was made in title 9, which expanded the original 19 sections into 27. All later acts referring to union schools are either supplements or amendments of this title. Moreover all sections were made to apply to schools established under the act of 1853. The more important changes affecting directly the status of union schools in relation to our problem were:

1 That the Superintendent of Public Instruction (which office was created in 1854) was empowered (*a*) to call, or empower some one to call, meetings for the organization of union schools, (*b*) to have under visitation "every union free school district in all its departments," together with the supervision of the boards of education, (*c*) to require in addition to stipulated annual reports such special reports as he deemed necessary and (*d*) to interpret certain features of the law.

2 That money for teachers' wages in all departments should be raised by tax and not by rate bill.

3 That the academical departments established in union schools place their entrance requirements, "as high as those established by the . . . Regents for participation in the literature fund of any academy."

4 That the powers of boards of education in districts in unincorporated villages be so extended that they might vote taxes for "teachers' wages and the ordinary contingent expenses" in case the voters failed or refused to do so.

Minor revisions of the law regarding union schools were made in 1863, 1865, 1875 and 1879 and almost yearly thereafter, most of which looked toward the encouragement of the organization of these schools through greater ease of establishment or to the more efficient administration without particular reference to the academical depart-

[38] Laws of 1864, chap. 555.

ments.[39] Previous to 1880 one of the hindrances toward the more rapid organization of union schools had been the uncertainty as to the right of a district once formed to dissolve into its original separate districts. In a few instances special enactments were passed providing either for the dissolution of these districts upon vote of the qualified electors or directly dissolving them.[40] The Attorney General having ruled in 1879 that an academy once adopted as an academical department could not be restored to its former status without a special enabling act,[41] provision was made by an act of 1880 that such districts could be dissolved by a majority vote at regular or special meetings of the electorate and that upon application of a majority of the resident trustees or stockholders of the academy its property might be restored to them.[42] In 1875 there was passed an act requiring that cities and union free school districts establish free instruction in "industrial or free hand drawing,"[43] and although the act did not contemplate in all likelihood the extension of this work into the high schools, it laid the basis for such extension of industrial and trade schools in the first decade of the next century.[44] In the first general revision and consolidation act since 1864, namely that of 1894, no significant change was made in the union free school type of organization but the boards of education of such districts were given the privilege of leasing academy property for the use of academical departments.[45]

In the later years of the nineteenth century and early years of the twentieth, the practice of special legislation for union schools was resumed. The acts in general were of two types: (1) placing union schools formerly created by special act under the general law in some or all particulars,[46] or (2) confirming and legalizing the acts of local boards, which due to the frequent changes in the legal details of organization and administration of these schools, were often at variance with the law.[47]

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[39] Laws of 1863, chap. 378, sec. 8; 1865, chap. 647, sec. 15–17; 1875, chap. 482, sec. 28; 1876, chap. 50; 1879, chap. 134; 1883, chap. 413, sec. 10–16; 1884, chap. 49, sec. 3; 1885, chap. 340; 1886, chap. 595; 1888, chap. 27, 331; 1889, chap. 90.

[40] Laws of 1872, chap. 262; 1873, chap. 404.

[41] Quoted in Hough, op. cit., p. 423–24; cf. School Bulletin (1880), 6: 68–69.

[42] Laws of 1880, chap. 210.

[43] Laws of 1875, chap. 322; also Laws of 1887, chap. 540; 1888, chap. 334; cf. Sup't Rep't, 1876, p. 115–17.

[44] Laws of 1908, chap. 263.

[45] Laws of 1894, chap. 556, sec. 27.

[46] Laws of 1887, chap. 624; 1895, chap. 364; 1907, chap. 459; 1913, chap. 427.

[47] Laws of 1901, chap. 25; 1904, chap. 255.

Following the more efficient working of the system under the unification act of 1904, and with the growing disfavor in which special legislation was held, there were passed in 1909 and 1910 complete revisions of the school code, which for the first time made the union school act an organic part of the general law.[48] The sections were now distributed under the appropriate heads of districts, boards of education, school moneys, etc., the original powers were retained and the district supervisors were empowered to create and alter union free school districts. An amendment of 1914 marked a step forward by providing for the establishment of central rural schools or districts with high school departments and giving courses in agriculture, the State Commissioner of Education to have the power to determine the boundaries and the site of the building.[49] With the realization of the inadequacies of the old district system, agitation for the township unit of administration was begun in the middle of the last century and was vigorously taken up by the State Teachers Association, the Association of School Commissioners and the Council of City Superintendents, in the effort to procure legislation.[50] In one form or another the plan was generally favored by most of the state superintendents as the means to the better equalization both of educational opportunities and of the burden of support.[51] No action was taken until 1917, since the uniqueness of the union free school law commended itself so strongly to those directing the educational policies of the State.

3 The University and its Control of High Schools

a The University Acts of 1889 and 1892 and the Unification Act of 1904. Meanwhile there was enacted into law in 1889 a general revision and consolidation of the laws relating to the University which, with the complete revision in 1892,[52] reestablished the power of incorporations and charter over all the higher educational institutions, defined academies to include high schools, and academical departments, and gave a new formulation of the rights of the Board of Regents to provide for inspection and to require reports of institutions which were members of the University as requisite to their continued enjoyment of University privileges. The conflict of

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[48] Laws of 1910, chap. 140 (Consol. Laws, chap. 16).
[49] Laws of 1914, chap. 55.
[50] School Bulletin, 2:71; 4:19, 68, 97-112; 5:38, 54-55; 6:55.
[51] Sup't Rep't. 1877, p. 34-35. Cf. Letter of Com'r Finley to the Legislature, April 15, 1915.
[52] Laws of 1889, chap. 529; 1892, chap. 378.

authority over the academical departments, which was made possible by the union free school section of the consolidated law of 1864 and which had been made the excuse for an effort to abolish the University in 1870,[53] now widened. Unification of the two state departments having failed in 1889 and 1900,[54] it was again sought by both departments in 1903, resulting in the unification act of 1904.[55]

The more immediate causes of friction were to be found in three laws which modified and limited the Regents' supervision of secondary schools, and whose relevancy to our problem is such that they must be noted here:

1 Chapter 1031 of the Laws of 1895, which empowered the State Superintendent to supervise the courses of study in high schools, giving teacher-training courses.

2 Chapter 325 of the Laws of 1902, which made the adoption of an academy by a union school subject to the joint approval of the State Superintendent and the Chancellor of the University.

3 Chapter 542 of the Laws of 1903, which provided the sum of $100,000 for distribution to high school pupils living in districts not having such schools, said distribution to be left to the joint certification of the Superintendent and the Chancellor but which was claimed by the Superintendent and by him for the advantage of public high schools only.

The Unification Act placed the number of Regents at eleven and made the office elective by the Legislature, each for term of 11 years, and made the Commissioner of Education, successor to the Superintendent of Public Instruction, the executive officer of the Board combining the duties of the office of Superintendent as regards the "general supervision of all the educational institutions of the State." The initiation of the act under happy auspices led to complete harmony where there had long been conflict with great resulting advantages, particularly for secondary education. The annual appropriation act of the following year fixed a precedent established in 1887 concerning the application of moneys to the academies and high schools, whereby the sum to which the former were now entitled was limited.[56]

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[53] Sup't Rep't, 1870, p. 59–74. Special Rep't of the Regents, Senate Documents, 1870, no. 82; cf. Governors Messages, Senate Documents, 1886, no. 2, p. 22–24; 1888, no. 2, p. 6.

[54] For attempt at settlement of the question in 1900, see Assembly Documents, no. 17.

[55] Laws of 1904, chap. 40. For a history of the controversy see the somewhat prejudiced account in Sup't Rep't, 1904, p. xxx–li, and 102–5. The complete account of the final adjudication of the matter which gave opportunity for the hearing of both sides and resulted in the bill of 1904 is given in the final report of the special joint committee on educational unification, Senate Documents, 1904, no. 25.

[56] Laws of 1905, chap. 699; cf. Laws of 1887, chap. 709.

b Regents ordinances. The University Act of 1787 had empowered the Regents to make such by-laws and ordinances as were essential to the administration of their duties and with the opening of the following century they began the practice of sending out "circulars of instructions" to the academies and colleges under their visitation. The earlier instructions had principally to do with the two matters of the requirements for admission to the University, or incorporation as it was known, and with the prescription of detailed reports as a basis for the distribution of the income of the literature fund and state appropriations. With enlarged funds and additional powers granted from time to time by the Legislature, the circulars were continued but the practice was begun in 1828 of combining the existing ordinances into "Regents Instructions."[57] Thereafter the ordinances were published in book form and known as University Manuals,[58] and included detailed requirements and interpretations of the rather meager body of law under which the Regents operated. The manual of 1888, for example, had been extended to cover as its main topics, incorporation of academies, distribution of the literature fund, academic examinations, and books and apparatus. The special significance of these various ordinances will be seen in the chapters following, it being necessary to note here only that the Regents had become, by the time the high school movement was begun, a definite legislative body. It was this feature of the Board's work that gave rise to the remarkable developments of the last quarter century before unification and which was reserved as its distinctive work after unification. Two important illustrations of the exercise of this power, because of their bearing upon the later developments of the high school movement, are the following: (1) the establishment in 1863 of the University Convocation, a joint gathering of representatives of the Regents, the academies and the colleges whose purposes included the effort to promote the "harmonious workings of the state system of education," and to influence the people and Legislature in the direction of larger support to secondary education,[59] and (2) the organization of the University in 1898 into various departments including those of the high school and colleges, perpetuated under the present administration of the state system.

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[57] Regents Instructions of 1834, 1845, 1849, 1853.
[58] University Manuals, 1864, 1870, 1882, 1888.
[59] University Convocation Proceedings, in Regents Rep't, 1864, ff. p. 316. Also Ordinance of the Regents of April 11, 1879, in Regents Rep't, 1880, p. 470.

Summary and Conclusions

The high school in New York in contrast with that of New England, as typified in Massachusetts,[60] did not at the outset attain a place in the state system by general legislation. First, a considerable period passed during which special privileges were granted individual academies in addition to the general quasi-public functions. This was followed by a decade in which many special acts were passed establishing union schools and higher departments in city and village systems. In 1853 the general permissive act organizing high schools, known as academical departments, was passed. All later legislation retained this special terminology and the permissive feature which was in direct contrast with the Massachusetts practice.

The University of the State of New York, which for seventy years had had as its principal activity the guardianship of secondary education in the academics, was naturally made sponsor for the new type of secondary school. Inasmuch, however, as each public high school was a part of some local common school system out of which it had developed and therefore of the state common school system, an increasing amount of dual control of the two state systems brought about a corresponding amount of friction. The half century of struggle was fortunately ended by the Unification Act of 1904 and since that time the secondary and elementary interests in New York have been more closely related. There has been therewith a cessation of attacks upon the secondary school and consequent increase in state aid and state supervision of this branch of the school system.

[60] Inglis, op. cit., p. 24–35.

Chapter 3

Establishment and Admission of High Schools

1 Terminology in Use in New York

The term "high school" had come into use in New York at about the time of the founding of the English High School of Boston (1821) to designate monitorial schools of academic or partially academic rank. We found that these schools were favorably considered at one time as the means to a state system of secondary public or quasi-public schools for the purposes of preparing teachers and of providing scientific training, but that they were rapidly absorbed into either the common school or academy systems, in most cases with a change of name. In 1838, the same year in which there was passed in Massachusetts a union school law,[1] the education committee of the New York Assembly in a progressive report recommended the complete reorganization of the whole state system and, in view of the evils of the constant multiplication of district schools, urged the formation of union or high school districts for the maintenance of district high schools.[2] The plan provided for a higher grade of instruction than that ordinarily given in the common schools and for state aid for apparatus. Its realization, however, had to await the provision for union free schools in 1853.

In the educational literature of the second quarter of the nineteenth century, comprising largely educational magazines and official documents, a number of meanings were attached to the term "high school." Among them were the following: (1) the advanced public school or department as typified in the Massachusetts legal usage of the term,[3] (2) the private fitting school often limited to one sex,[4] (3) the secondary school founded by endowment through private benevolence,[5] (4) the manual labor school or in some cases its

[1] Laws of Mass., Jan. session, 1838, chap. 189; cf. Laws of 1848, chap. 279.
[2] Assembly Documents, 1838, no. 236, p. 12–14; cf. Assembly Jour., 1839, p. 37. See also Sup't Rep'ts 1849, p. 47; 1853, p. 63–64; p. 149.
[3] Inglis, op. cit., p. 35–37; Annals of Ed., 8:31; American Quarterly Register, 5:275–333.
[4] Amer. Jour. of Ed., 1:316–17; Aurner, History of Education in Iowa, 3:78–79, 88, 100.
[5] Annals of Ed., 2:147.

competitor,[6] and also (5) the whole class of secondary schools including the academies.[7]

In this study the first usage only is considered. This appears to have been rather generally accepted by the middle of the century outside of New York. All schools therefore are included in this study wherein branches higher than elementary branches were taught and for which the local public school authorities were wholly or largely responsible in matters of control and support. A few endowed schools are included. No attempt has been made to trace out for each community the beginnings of the instruction in higher branches. In most cases such instruction appears to have been very meager until some definite reorganization of the local system brought about the recognition in official documents of the establishment of a public secondary school.

In New York State tradition and legal usage fixed upon the high school the name "academical department," which has persisted to the present time. By reference to table 7 giving the data on special acts creating high schools before the union free school act of 1853, it will be seen that the term high school appears but once, academy and classical school being preferred titles. The board of education of Warsaw soon after the passage of the act of 1853 offered a test case by making the request first to the Regents and then to the Senate that the name Warsaw Academy be allowed.[8] The Board of Regents ruled that the name academical department as used in the law was more descriptive of the nature of the school and that, if the request were granted, it would be equivalent to converting these departments into "separate and independent corporations" like the academies. The report also stated that the corporate power necessary to the establishment of a high school or academical department had been taken from the Regents and vested in the local boards of education.[9] A little later the Regents made an effort to restrict the term academy to private incorporated secondary schools.[10]

In the early history of the high school movement in New York, however, there was no uniformity in the names locally applied to them. This was due mainly to the persistence of the name academy,

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[6] Annals of Ed., v. 3, preface, p. iii; 4:161; 8:522.
[7] Annals of Ed., 1:155; 3:594; 7:38. Cf. Laws of 1851, chap. 425.
[8] Regents Minutes, 6:147, 167–68, 263–64.
[9] Regents Rep't, 1874, p. xvi.
[10] Regents Minutes, 7:164–65; 8:87.

and its equivalents, seminary and institute, and their application to the new type of secondary schools with perhaps the addition of the word "free" where little or no tuition was charged. Again in cases of the transfer of an academy the old name was generally retained. Of the 22 public high schools established by 1860, 10 bore the name academy or free academy, 2 the name institute, 3 that of classical or union classical school and only 1 that of high school. Sometimes the contribution of an academy property was indicated for a time by a combination of the two names, such as for example, Franklin Academy and Prattsburg Union School. After 1860 the stronger city schools led the way toward the use of the term high school. Legislative acts, however, did not for some years thereafter give preference to the term and drop the phrase "academy or high school." The university law of 1889 determined the present usage by defining academies as including "high schools, academical departments of union schools and all other schools for higher education," except degree-granting institutions.[11] The term academy continued, however, to be used in the more restricted sense with reference to private or corporate schools.[12]

By 1890 the unevenness of standards of high schools became so apparent that the Regents were compelled to adopt a system of grading of schools on the ground that those offering a three or four year course should be differentiated from those that offered less by the distinctive title of high school.[13] The older local names, academy and the like, continued to be used although the Regents had under consideration at one time some method of making the official titles the required local titles.[14] At the present time the practice of the State Department of Education is to give the grade of school in a separate column from the local names. The latter are now restricted to high school and union school except in the case of about thirty schools which have retained the old title of academy, seminary or institute for reasons of local sentiment and tradition.[15]

2 *Early New York High Schools and their Curriculums*

A complete account of the development of the New York high school system would of course include a description of the origin,

[11] Laws of 1889, chap. 529.
[12] Regents Rep't, 1893, p. 1108.
[13] Regents Rep't, 1892, p. 119.
[14] Regents Rep't, 1894, p. 1128. Cf. Rep't of the High School Dep't, 1904, p. 15–6.
[15] Regents Rep't, 1913, p. 736–65.

establishment and history of each individual school. Since this is a task quite beyond the limits of the present study,[16] the early history of the first two schools to be admitted into the University is given here. The Lockport Union School and the New York (City) Free Academy were both legalized in 1847 and are entitled to be called the only public high schools established in New York in the first half of the last century. There is considerable evidence of a general nature that these schools became models for the introduction of high schools into other New York cities. Later schools, for example, tended to use very largely the terms "union school" and "free academy," and the literature dealing with education made much of the experiments tried in the western village and the metropolis.

a Lockport Union School. The Lockport Union School has the distinction of being the first of the high schools of the State to be legalized and the first to be established. Local records give the credit for the conception of the union school district to Sullivan Caverno, a local lawyer, who was a former New Englander and a graduate of Dartmouth College. It was he who called the first organization meeting and who later drafted the law.[17] Shortly after the passage of the bill the board of education was organized with Caverno as president and on July 5, 1848, the school was opened in a building specially provided. There were enrolled in the first quarter 235 pupils of whom the larger number were pursuing the higher grades of elementary instruction. The school's immediate popularity was due in part to the fact that there was no strongly intrenched competing academy. The Lockport Academy, incorporated in 1841, was apparently defunct and had never been received by the Regents.[18] Of the better select schools of the village, at least two were rendered innocuous in time by the appointment of the principals to become teachers in the union school.

Instruction had hardly begun when organized opposition and threatened injury to the new venture came about with the realization that taxpayers who sent their children must also pay tuition.

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[16] See Hough, op. cit., p. 574–732. This account which, despite small inaccuracies, gives a good brief statement concerning each school to 1884 is now being revised by Dr Henry L. Taylor.

[17] The sources are largely limited to the minutes of the board of education (missing for 1848), and the register of the union school, both in manuscript. See also Catalog of the Union School, 1897–98, 50th Anniversary Number.

[18] Laws of 1841, chap. 263. Four of the original trustees of this institution were members of the first board of education.

Relief was had and the school saved by an act of 1850, by which the union school became subject to Regents visitation and shared in the literature fund, and the board of education was denied the privilege of taxation for teachers' salaries.[19] Consequently teachers' salaries and tuition rates fluctuated constantly and the attendance and the efficiency of the school suffered somewhat for over a decade.

The course of study at the outset and as modified during the first five years is given in table 8, from which it may be gathered that there was little deviation from the practice of the typical academy. The subjects of music and commercial branches were early provided at first through special teachers who depended on tuition for their incomes. The school was divided into junior and senior departments, with entrance age requirements respectively 10 and 12 years, the junior department confining its work largely to elementary branches. The course in the earlier years, as in the academies, was quite lacking in organization so that pupils elected subjects very much as they desired. The practice of graduation was begun in 1858 in which year a class of four, one boy and three girls, was graduated.

We have already seen that the example set by this enterprising canal village was rapidly followed by other western villages, so that either with or without legislation the higher branches came to be taught in many school systems. It may well be that the initial step toward the general union free school law was taken when this school was brought into existence. The experiment had now been tried in New York as in her sister states to east and west of creating public secondary school facilities. In this instance it was proved that a village board of education with its executive officers, a superintendent whose duties were largely managerial and clerical and a principal whose duties were professional, could compete with the privately endowed academy and this in spite of very great difficulties inherent in the special enabling act and the general school law.[20] However the early history of the school shows the persistence of numerous academic traditions such as annual celebrations, a preceptress for the female department, and boarding privileges for a limited number of boys.

The attitude of the Regents seems to have been favorable. In 1850 the Board first satisfied itself that the requirements were met

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[19] Laws of 1850, chap. 77. See minutes of the board of education, Nov. 30, 1849.

[20] New York Teacher (1852), 1:153. Cf. Sup't Rep't, 1853, p. 18.

as regards age of pupils and a separate building for instruction and then unanimously passed a resolution constituting the school an academy, "sufficient provision being also made that the organization, government and reports of the common schools, also under the care of the said board of education are altogether distinct and separate."[21] In the same year a request for recognition of a department of teacher-training was refused on the ground of the inadvisability of making a change in the existing arrangement within the county.[22] Three years later this privilege was given and the union school then lacked nothing of full participation with the academies in the benefits of the state system of secondary education.

b New York (City) Free Academy, 1848–66. We have seen that not only Stuyvesant but the founders and promoters of the New York High School Society and the Public School Society had recognized the superior public educational advantages of New York's commercial rival, Boston. From 1839 on, a few of the graduates of the public schools were given scholarships to Columbia College and New York University,[23] but so few as only to make evident the fact that there was a hiatus between the lower schools and the colleges that only a secondary school could fill.[24] In 1846 a resolution was introduced in the board of education which led to the appointment of a committee to memorialize the Legislature as to the possibility of obtaining part of the literature fund for "the support of a High School or College for the benefit of pupils . . . educated in the public schools."[25] The committee's memorial held that of the four local institutions receiving aid from the Regents, two were not in any way entitled to it while the other two as grammar schools of the two colleges made no provision for those entering agricultural and mercantile pursuits. As a result there was framed and passed in 1847 an act submitting the question of the establishment of a free academy to the electorate.[26] Following an overwhelmingly favorable vote, the board of education was enabled to open the academy January 27, 1849.

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[21] Regents Minutes (MSS), 5:425.
[22] Regents Minutes (MSS), 5:428. Cf. Minutes of the board of education, Jan. 28, 1853.
[23] Amer. Jour. of Ed. (1830), 5:136.
[24] Renwick, James, Life of DeWitt Clinton, p. 80–85.
[25] Twenty-first Annual Rep't of the Board of Ed., 1862. Gives early history of school and credits the conception to Townsend Harris.
[26] Laws of 1847, chap. 206.

The double purpose of academic and collegiate instruction was maintained at the outset but very soon the latter came to dominate. In the establishment and organization of the school the models which were followed, however, were the Boston English High School and the Philadelphia Central High School, particularly the latter. The Philadelphia institution had been created in 1836 and established by 1838. After ten years of successful administration there was developed a four-year course with the following departments or professorships: philosophy (mental, moral and political); belles-lettres and history; ancient and modern languages; mathematics and astronomy; anatomy, physiology and hygiene; drawing, writing and bookkeeping; and additional lectures in history and extra-English.[27] By 1851 there were provided similarly in the New York Free Academy ten departments differing from these in the Central High School in the following particulars: no provision was made for extra-English and history courses, comparatively little for astronomy, chemistry and physics were set off from natural philosophy while three distinct departments were formed of civil engineering, drawing, and law with political economy and statistics. For a more complete comparison of the curriculums of the two schools at this time, see table 8.

Both institutions were influenced very definitely by the West Point Military Academy, because the first presidents of each were West Point men who introduced the common ideals of discipline and curriculum. The stress on mathematics and science together with the large place given to merits and awards are the best evidences of this. In the Philadelphia High School there was early developed a principal and a classical course, which differed only in the substitution in the former of modern for ancient language. In the New York Free Academy the same differentiation was made and the courses were called the ancient and modern language courses. Building alike on the experience of the Boston English High School, similar admission requirements were established. Pupils were required to be 12 years of age, to have spent one year in the public elementary schools, and had to submit themselves to rigid entrance examinations in subjects including the three R's, spelling, United States history and geography. By 1850 the examinations for the Central High School were made to include the constitution of the

[27] Annual Reports of the Controllers of the Public Schools of Philadelphia, 1836 ff. See also Edmonds, History of the Central High School of Philadelphia, p. 128–32.

United States and the elements of algebra and mensuration while those of the New York Free Academy were supplemented in 1852 by elements of algebra, in 1853 by elementary bookkeeping and in 1857 by plane geometry and the constitution of the United States. These last two subjects were soon thereafter dropped, but the age requirement was made 14 years.

As was to be expected, opposition to so novel an experiment developed, receiving perhaps its most vigorous expression in the famous "dissent" of Horace Greeley.[28] Greeley held that the free academy should be given up and the money used for charity on the grounds that the institution had devoted itself too largely to dead languages and that it was not the State's business to provide special facilities for the superior in intellect, thus making class distinctions. The incoming mayor in the following year (1851) raised the question of the large expenditures on the part of common schools. As an answer to these attacks, a careful study was made of the New York system in comparison with other city systems, one-half of which had high schools, and of the New York Free Academy with fifty-five colleges and universities.[29] The report of this select committee made evident (1) that New York was spending relatively less than most cities upon common or elementary instruction and (2) that while the free academy was much more costly per pupil than other high schools it compared favorably in this regard with the colleges and universities. From this time on repeated efforts were made to obtain recognition for the school as a college and in 1853 the Regents granted it the right to give degrees and to use the name New York Free College.[30] The Legislature ratified the privilege of giving degrees in 1854,[31] and in 1866 erected the school into the College of the City of New York, its present title.[32] In that interval it had received from the Regents a total of $16,532 which, according to the act of 1854, had been devoted to the maintenance of a library, had graduated 426 students and had taught annually from 201 to 885 pupils.[33] It remains to note how far the academy, while it was such in name, fulfilled the original purposes of its founders.

In the first place it was earnestly expected that the school would react upon the lower schools providing an incentive for study even

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[28] Annual Rep't of the Board of Ed., 1850, p. 30–31.
[29] Annual Rep't of the Board of Ed., 1851, Doc. 9, especially tables C and D.
[30] Regents Minutes, 6:31, 41, 45, 49, 116, 118–21.
[31] Laws of 1854, chap. 267.
[32] Laws of 1866, chap. 264.
[33] Compiled from Hough, op. cit., p. 479, 670.

for those who would not or could not enter, thus popularizing and extending the benefits of the lower schools. Thomas Boése, clerk of the school board 1858–69, enthusiastically stated that as a result of its influence "thousands who had hitherto held aloof from the public schools now sent their children." [34] Whatever may have been the basis for this statement, there were undoubtedly some who patronized the public schools because of the consequent advantage of free higher education. It was not until 1882 that the restriction of one year's attendance in the public schools before entrance into the college was removed.[35] On the other hand, statistics of attendance indicate less gain relatively and absolutely in numbers of new pupils in the five years following the opening of the free academy than in the five preceding. There were, however, curricular adjustments of the lower schools to make them correlate more closely. In the so-called male schools, there came in the tendency to stress algebra, history and other higher subjects often at the expense of the lower and fundamental subjects.[36] In 1853 the course of instruction for the sixth and uppermost class of the male departments stated that the pupils pursuing it were preparing for entrance to the free academy by taking the required entrance branches, and by 1857 these departments were teaching history, physiology, natural philosophy, bookkeeping, algebra and geometry. In 1862 a supplementary course was offered for those who cared to take it giving most of the subjects offered in the first year of the academy course. In 1866 there was established the first evening high school with a program of studies almost as broad in scope as that of the free academy.[37]

At the time of the graduation of the first class the academy was teaching little more than 1 per cent of the number enrolled in the public schools. Previous to 1866 the number graduating each year included between 2½ and 8 per cent of the academy enrolment. The attendance had risen to 885 in 1858 but from that point declined for some time. In one respect, however, the influence of the school was largely felt in the lower grades, inasmuch as many of its pupils and graduates became teachers in the system.[38]

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[34] Boése, Public Education in the City of New York, p. 75.
[35] Laws of 1882, chap. 410.
[36] Annual Rep't of the Board of Ed., 1850, p. 72, 76–78.
[37] Annual Rep'ts of the Board of Ed., 1853, p. 15–16; 1857, p. 23; 1862, p. 24; 1866, p. 25.
[38] Finley, J., The College of the City of New York, in Cyc of Education, Monroe, 4:456–58.

Evidence exists of a rather positive nature that the function in the minds of the founders of the academy of preparing men for the more practical pursuits of "agricultural, mechanical and other productive occupations" was not fulfilled even through the open door of free tuition. This ideal seems alike to have been at the basis of the establishment of the English High School of Boston and the Philadelphia Central High School. The latter, in its earlier history especially, served the nonprofessional classes, the graduates entering a wide range of activities. Apparently this did not so widely hold of the New York Free Academy for in 1862 no less than 15 per cent of the pupils were from the professional classes,[39] while of the graduates for the period 1854–64 whose records were obtainable in the latter year, the occupations were as follows:[40] teaching 20 per cent, law 20 per cent, ministry 10 per cent, medicine 6 per cent, military and banking pursuits each 6 per cent, architecture and engineering 6 per cent, leaving about 25 per cent consisting of tailors, clerks, merchants, bookkeepers etc., the class for which the school was more particularly founded. From this point the interest came to be even more largely centered in a rigorous mathematical and classical curriculum and the more popular and practical branches were developed in such institutions as Cooper Union.[41] No fundamental change was made until, with the establishment of the high schools in the last decade of the century, the introductory course was extended to three years and upon the request of the Regents the college curriculum was strengthened, it having lagged behind because the school was doing double duty for collegiate and secondary education.[42]

This account is scarcely complete without brief reference to the attempt at about the same time to establish a "female free academy." This was felt by many to be the only gap in an otherwise complete system and in 1849 a special committee was appointed to consider the "expediency and propriety" of establishing such a school. The committee's report held that such an institution would prepare teachers for the lower schools, would render complete justice to the female sex and would provide the opportunity of higher educa-

[39] Annual Rep't, 1862, p. 13–15.
[40] Compiled from 11th Annual Rep't of the Free Academy.
[41] Jour. of the Board of Ed., 1858, p. 235.
[42] Mosenthal and Horne; City College: Memories of Sixty Years. Also Palmer, op. cit., chap. 37.

tion for those who could not bear the expense of private schools.[43] In 1854 earnest advocates in the board of education secured the passage of a bill granting the right of establishment, but with the stipulation that this must wait upon the consent of the majority of the board of education.[44] Such a vote was not obtained and throughout the fifties progressive board members and the superintendent constantly urged, following the example of Boston, Baltimore and Philadelphia in the establishment of a "Female High School and Normal School." The grammar schools for girls were less advanced than those for boys and full preparation for the highest grade of city teachers certificate was obtained only by special study in advance of the subjects offered in the common schools,[45] while from 1860 to 1864 the short training courses offered in Saturday normal classes were suspended. These were resumed in 1869 and two years later the "Normal College" was legalized.[46] This became and remained a training school for women teachers.[47]

c Curriculums of New York secondary schools about 1850. Table 8 gives data for a comparative view of the first two New York high schools, discussed in the previous section, their predecessors, the Boston and Philadelphia high schools, and also the academies of the State of New York in the matter of their curriculums about the year 1850. Most of the changes made in the two or three years immediately preceding and following are noted in the case of the Philadelphia, Lockport and New York City institutions.

The general similarity of the offering of subjects of the three large city high schools is very striking although the curriculum of the New York Free Academy shows the early tendency toward collegiate subjects. The more stable curriculum of the English High School of Boston is supplemented in the other two schools by advanced and specialized courses in applied mathematics and by instruction in the foreign languages.

It may similarly be seen that the Lockport Union School curriculum is patterned closely after the prevailing practice in the academies. All the schools of this period found it necessary to give some attention to elementary subjects. Many academy pupils, how-

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[43] Minutes of the Board of Ed., quoted in Doc. no. 5, Assembly Documents, 1858, no. 50; Rep't of Commission to Investigate the Schools of the City under chap. 609, Laws of 1857.

[44] Laws of 1854, chap. 101.

[45] Annual Rep'ts, 1861, p. 4–16; 1862, p. 44–45.

[46] Laws of 1871, chap. 692.

[47] Palmer, op. cit., chap. 38.

ever, pursued these subjects only while the high schools offered them in supplementation of previous training and in order that pupils might be enabled to make up deficiencies in their entrance examinations in these subjects. In the table the figures following the subjects in the last column indicate the number of academies in which the subject was taught except where it was universal, as with spelling, declamation and a few other subjects.

TABLE

Curriculums of secondary

English High School (Boston)[1]	Philadelphia Central H. S.[2]	New York Free Academy[4]
Rev. elem. bran.		Arithmetic
Spelling	Etymology	Eng. ety. and phil.[5]
Reading	Hist., Eng. lang. and lit.	Prin. Eng. lang.[5]
		Hist. Eng. lang.[6]
Eng. gram.	Grammar	Grammat. const.[5]
Writing	Penmanship	
Declamation	Elocution[3]	Orat.; eloc.[6]
		Foren. disc.[5]
Composition	Composition	Eng. compos.
Rhetoric	Rhetoric[3]	Rhet.; pronun.[5]
	Anglo-Saxon	Eng. writers[5]
Gen. hist.	Gen. and univ. hist.	
	Hist. Greece & Rome	Anc. hist
Hist. U. S.	Hist. U. S.	Mod. hist.[5]
	Hist. Eng.	
	Hist. Pa. & Phila.	
Const. U. S.	Const. U. S.	Const. U. S.[5]
Linear draw.	Drawing	Drawing
	Mech. draw.[3]	Machine draw.[5]
Algebra	Algebra	Algebra
Geometry	Geometry	Geometry
Trigonometry	Pl. & spher. trig.	Anal., pl. & spher. (trig.)[5]
Surveying	Surveying	Surveying[5]
Navigation	Navigation[3]	Navigation[5]
Mensuration	Mensur. & arith.	Mensuration[5]
Astron. calc.	Uranography	
Astronomy	Astronomy	Astronomy[5]
	Anal. geom.	Anal. geom.[5]
	Differ. calc.	Dif. & int. calc.[5]
	Spher. proj.[3]	Descr. geom.[5]
	Graphics	
		Civil eng.[5]
Nat. philosophy	Nat. phil.	Nat. phil., etc.[5]
		Physics[5]
		Optics, heat etc.[5]
		Dynamics[5]
Chemistry	Chemistry	Chemistry
	Hygiene & zool.	
	Dom. med. & surgery	
	Anat., physiol.	Anat., physiol.[5]
		Nat. hist.[5]
Nat. theology		Nat. & rev. relig.[5]
Evid. Christ.		
		Hist. phil.[5]
Moral philosophy	Moral science	Moral phil.
Intell. philosophy	Mental phil.	Intell. phil.[5]
Logic	Logic	Logic
	Pol. econ.	Pol. econ.[5]
Bookkeeping	Bookkeeping	Bookkeeping
	Phonography	Phonography
French	French	French
	Spanish	Spanish
	Greek	Greek
	Latin	Latin
Ancient geog.		Anc. & med. geog.
		Greek & Rom. antiq.[5]
		Law, internat., etc.[5]
		German[5]

[1] Curric. from 1833–52; see Barnard's Jour., 19: 484–87.
[2] From Rep't of Controllers, 1849.
[3] From Rep't of Controllers, 1850.
[4] From Rep'ts New York Free Academy, Jan. 28 and July 17, 1850; see notes 5 and 6.
[5] From Rep't of Board of Ed., 1851, Doc. 9; studies added after first year and a half.
[6] From Rep't of Board of Ed. (on Free Acad.); Jan. 1853.

8

schools about 1850

Lockport Union School [7]	New York Academies in 1853 [9]
Arith.; geog.	Arith.; geog., 162
Spelling	Spelling
Reading	Reading; pronunciation
Grammar	Grammar
Writing	Writing
Declamation [8]	Declamation
Composition [8]	Composition
Rhetoric [8]	Rhet.; elem. of crit., 107
Hist.; gen. hist.[8]	Gen. hist., 110
	Mythology, 16
Hist. U. S.	Hist. U. S., 95
Drawing	Drawing, 24
	Draughting, 1
Algebra	Alg., 165; logs., 44
Geometry	Pl. geom., 157
Trigonom.[8]	Trigonom., 102
Surveying	Survey., 103; level., 20
	Navigation, 25
Mensuration [8]	Mensuration, 58
Astronomy [8]	Astronomy, 152
	Anal. geom., 19
	Calculus, 12
	Descr. geom., 6
	Conic sect., 24
Civil eng.[8]	Civil eng., 12
Nat. phil.	Nat. phil., 161
	(See note 10 below)
	Optics, 34
	Mechanics, 13
Chemistry	Chem., 141; agric. chem., 14
	Zoology, 6
Anat.,[8] physiol.	Anat., 66; hygiene, 41
Botany [8]	Bot., 119; nat. hist., 35
	Nat. theol., 22
	Evid. Christ., 26
Philosophy	
	Moral phil., 83
Intell. phil.[8]	Intell. phil., 97
	Logic, 31
	Pol. econ., 21
Bookkeeping	Bookkeeping, 146
French	French, 152
	Spanish, 12; Ital., 12
Greek[1]	Greek, 136
Latin	Latin, 162
	Greek antiq., 24; Roman, 26
	Law and gov't, 95
German	German, 69
	Hebrew, 3
	Prin. of teaching, 33
	Geol., 56; Meteor., 17; Miner., 17

[7] Register Union School (MSS., for July 1848.
[8] From schedule 8, Regents Rep't, 1854.
[9] From Regents Rep't, 1854; numbers following a subject refer to number of academies in which it is taught out of a total of 167.
[10] Following subjects also appear: electricity, 50; hydrostatics, 3; magnetism, 42; technology, 7.

3 Admission to the University; Grading of Schools

Empowered by the act of establishment of The University of the State of New York to incorporate academies, provided that the applications for incorporation and the charters were in writing and that such academies were found to be "calculated for the promotion of literature,"[48] the Regents in 1801 adopted an ordinance requiring in addition from each academy proof of the possession of sufficient well-secured investments which should yield an annual income of $100. In 1815 this was raised to $250. The principal was not to be diminished and the income was to be used for the payment of teachers' salaries.[49] As early as 1812, however, the Legislature began the practice of granting charters or acts of incorporation to academies,[50] and from 1820 to 1840 the number so incorporated far exceeded the number incorporated by the Regents.[51]

As the formal act of incorporation was desired largely for the fact that it gave the school "admission to visitation" and therefore to a share in the annual distribution of the literature fund and other funds in the care of the Regents, it became common practice for Legislature-incorporated schools to secure this privilege either individually in their charters or through general acts, it being stipulated in each case that the ordinances and by-laws of the Regents must be complied with. With the supplementation of these funds in 1838 by the addition of a portion of the income of the United States deposit fund, supplementary requirements were laid down for the schools which were to enjoy the privileges above-mentioned, namely a suitable building ready for use, suitable library and apparatus, and "a proper preceptor."[52] Buildings, apparatus and library must together be worth $2500, no requirement being made as regards endowment. The Regents in their subsequent revision of instructions to the academies interpreted the term "suitable" in the case of library and apparatus to mean the equivalent in each case of $150, even though the value of the building exceeded $2500.[53] They also provided detailed forms of application for the incorporation of academies and for the admission of those incorporated by the Legislature.[54]

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[48] Laws of 1787, chap. 82, sec. 12; also Revised Statutes, 1836, chap. 15, title 1, art. 3.
[49] Regents Instructions, 1834, p. 26.
[50] Laws of 1812, chap. 167.
[51] See chap. 1.
[52] Laws of 1838, chap. 237.
[53] Regents Instructions, 1845, p. 23–24.
[54] Ibid., p. 18–23.

The act of 1838 and the regulations prescribed by the Regents and based thereon were in force at the time of the beginning of the high school movement. The high schools were, as shown in the preceding chapter, made corporate institutions through special powers granted to local appointed or elected boards of trustees or of education, and were, like the academies, given the privileges of visitation and of sharing in the distribution of academic funds, provided the rules and regulations of the University were fully complied with. These provisions were made a part of the general union school act of 1853 and its amendments. In the case therefore of the early high schools or academical departments the Regents followed the practice already in vogue for three decades and voted formally upon the admission of each when satisfied that the requirements of the laws and ordinances were met.[55] Admission was refused or granted conditionally without the enjoyment of a share in the state funds in case debts were not wholly paid or provided for or in case the requirements regarding library and apparatus were only partially met.[56] As no records are to be found either in the annual reports of the Regents or the minutes of the Board, it seems certain that a minor number of public secondary schools came into the University without formal vote of the Regents or even formal recognition of legislative incorporation. The academies already incorporated and admitted formed a special case when they were merged into the high school type and often the minutes simply record the fact of their reorganization.[57] Following a decade of rapid merging, there was passed in 1880 an ordinance requiring that academical departments so formed must after January 1881, be formally received upon application as prescribed in the ordinances.[58] The forms were in general like those for the incorporation of academies in that they called for an attested description of property of all forms but were unlike them, because of the lack of jurisdiction of the Regents, in that a statement only was required as to whether or not the academical department was provided with a separate building.[59]

The increase of academical departments was such that by 1874 they were equal in number to the academies,[60] and the inrush caused such

[55] Regents Minutes, 7:17, 208.
[56] Ibid., 7:3–4, 293; 8:59, 87, 125–26, 253–54, 313.
[57] Ibid., 7:317–18; 8:12, 241.
[58] Ibid., 9;6–8; cf. 8:286, 321. The law had left the matter somewhat obscure and had specifically provided only that the transfer be recorded in the office of the county clerk; see Regents Rep't, 1868, p. xxiv.
[59] Univ. Manual, 1864, p. 55–56; cf. Laws of 1853, chap. 433.
[60] Regents Rep't, 1874, p. 420–27.

a lowering of standards that amendment of the ordinances governing admission became necessary.[61] The new regulations of 1883 increased the required valuation of the library and apparatus each to $500 and in addition required assurance of sufficient income and of the attendance of 25 academic scholars.[62]

Previous to this time the Regents had never made an effort, at least with a definite program, to increase the number of schools under their control and management, waiting for applications when local initiative brought about the establishment of schools and sought their admission.[63] As a result of this policy there appeared in 1878 in the School Bulletin, the leading private educational journal of the State at the time, an editorial, in answer to repeated requests for information as to the means to and advantages of visitation of the Regents. The article particularly stressed the financial aid, the standing among the schools of the State, the opportunity in the annual reports of the Regents for comparative study with other schools and the incentive given to scholars by means of the Regents system of examinations.[64] A decade later a new policy was initiated with the appointment of a new secretary in the person of Melvil Dewey. In the following year (1889), the revision and consolidation of the university law became the working basis for a positive program of extension of secondary education.[65]

In 1890 systematic inspection of schools made possible to a greater degree than hitherto the ascertainment by the Regents of compliance with the admission requirements.[66] In 1892 the secretary called attention in a series of twelve recommendations to the need of revising the practice as regards incorporation.[67] Among these were the following: higher standards for incorporation of all higher institutions including high schools, complete registration of all such institutions, the elimination of those which failed to meet the requirements and the recognition of the differences in standards among the high schools and academical departments by some method of grading or classification. During the next quinquennial most of these suggested recommendations were carried out either through legislation or regulations of the Board of Regents.

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[61] Regents Rep'ts, 1874, p. xvi–xvii; 1882, p. xiii–xiv; 1885, p. 13.
[62] Regents Rep't, 1883, p. xv–xvi.
[63] Regents Rep't, 1892, p. 119.
[64] School Bulletin, 1:37; revised in (1882) 9:43.
[65] Regents Rep'ts, 1890, p. 13, 30–31; 1891, p. 18–20; 1900, p. 178–84.
[66] Regents Rep't, 1886, p. 11–12.
[67] Regents Rep't, 1892, p. 115–19.

The most significant change was wrought in the establishment in 1894 of four grades of academies and high schools according to equipment and extent of courses. The report of 1892 referred to above called attention to the great contrasts in these institutions and noted that the term high school was coming into use as representing the more advanced and progressive public secondary institutions. Moreover it was now seen that many communities could not satisfactorily support a complete four-year high school but that without any grading of schools they would either attempt such a course or would give up any effort at higher than elementary facilities with consequent loss to the community. The immediate effect of the ordinance grading the secondary schools may be seen in tables 11 and 12. The latter table also indicates the relative numbers of the various grades and gives abundant proof of the justification of the hopes expressed by the secretary as to the development into higher grades of those entering in the lower. Table 9 gives the principal features of the method of grading or ranking as well as the more important revisions of 1897 and 1905.[68]

TABLE 9

Admission requirements of the four grades of secondary schools

YEAR	JUNIOR SCHOOLS	MIDDLE SCHOOLS	SENIOR SCHOOLS	HIGH SCHOOLS
		a Course of Study		
1894	One yr. course or any 12 counts	Two yr. course.....	Three yr. course.....	Four yr. course
1897	Two of 12 counts must be English	.....	.....	.....
1905	Approved one yr. course, inc. Eng., math., and science	Approved 2 yr. course, inc. addit. Eng., math., and also hist.	Addit. hist. and Eng.	Addit. Eng.
		b Library		
1894	Minimum $200.....	Minimum $300.....	Minimum $400.....	Minimum $500
1897	As above but with supplementary statement as to requisite reference books, etc., and proviso that public library facilities might count toward one-half of requirement			
1905	As above. Renews statement of minimum values			
		c Apparatus		
1894	"Whatever may be necessary for satisfactorily teaching the subjects offered in the curriculum."			
1897	As above but with supplementary statement as to requisite pieces and with stipulation that value must be one-half of minimum library requirement.			
1905	Minimum $100.....	Minimum $150.....	Minimum $200.....	Minimum $250

The growing degree of control brought about within the first decade which is indicated in the above table is also clearly seen in a number of additional features appearing in a circular letter of the secretary's in November 1897 and in subsequent minor revisions of the Board of Regents:[69]

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[68] Regents Rep'ts, 1895, p. 162–66; 1897, p. 469; Ed. Dep't Rep't, 1905, Suppl. vol., Regents Revised Rules, p. 9.

[69] Regents Rep'ts, 1896, 1: 134; 1898, p. 1148; 1900, p. 163. 1899, Rep't H. S. Dep't, p. 351.

(1) school must be in session for 175 days, (2) inspector might for cause change grade of school upwards or downwards, (3) library and equipment must be approved by the inspector (1897), also the teaching staff (1898), (4) high schools must have a minimum of two teachers, (5) 30-minute periods must be had in all schools, (6) schools must be union schools and (7) must have at least five academical pupils (1905). The phenomenal growth in the number of high schools and pupils maintained in spite of the seeming rigor of certain of the requirements showed that there was no longer any doubt as to the value of admission. The term had become restricted to the public high schools, as the term incorporation to academies, and like incorporation carried with it permanent membership in the University together with the obligation of maintaining the University standards. The interpretation of the significance of admission at the present time is clearly seen in the following:

> Admission to the University confers on the secondary schools admitted the right to share in apportionments, to hold Regents examinations, to inspection by Department inspectors without payment of a fee, to representation in the University Convocation, to certification of secondary school pupils, to receive the Department's publications, and appear in the list of approved secondary schools.[70]

4 *Establishment of High Schools in New York State*

Without compulsory legal requirements and without active promotion on the part of the Regents previous to the last decade of the century, progress in the establishment of high schools went rather steadily forward until that time after which it progressed phenomenally. As with the academies in the early part of the century, periods of most rapid development numerically coincide with those of increase of state aid. Tables 10, 11, 12 and 13 give data as to the growth by years and periods of years.

Table 10 gives data for a detailed study of high schools established before 1881. This date is chosen arbitrarily as representing a point at which the high school had with certainty come to dominate the field of secondary education. In the first column appear the names of the schools with appropriate abbreviations where the term high school, free academy or classical school was in use in preference to the common term academical department. In column 2 are given the years and chapters of special acts of establishment. In column 3 the year is given in which the school first appeared either in the Regents minutes or in their annual reports, reference to which is

[70] Ed. Dep't Rep't, 1914, p. 136.

made in column 4. In most cases these dates and references cover formal admission but in a few cases in lieu of that, note was found simply of the transfer of an academy or of conditional admission, or the name of the school simply appeared in the schedules for that year. The last column gives pertinent data, largely on the merging of academies into high schools.

TABLE 10

High schools established by 1880

NAME	SPECIAL LAWS	DATE OF RECOGNITION BY REGENTS	REF. TO REGENTS MINUTES, REP'TS, ETC.	SPECIAL FEATURES
Addison	.....	1860	7: 317–10	Mer. Addison A.
Afton	.....	1872; 1874	8: 08, 106	Dist. sch. 1872–74
Albany F. A.	1866 (444); 1873 (312)[1]	1873	8: 125–26	After 1873, H. S.
Albion	.....	1877	8: 253	Mer. Albion A.
Ames[2]	.....	1872(?)	R. R. 1891, III, 1084	Mer. Ames A.
Angelica[2]	.....	1868; 1897	R. R. 1869 xvi	Mer. Angelica A.
Angola	.....	1875	8:199	
Arcade	.....	1870	Manual, 1870, 216	Mer. Arcade A.
Attica Un. F. S. & A.	.....	1867	7: 242–44	
Auburn Acad. H. S	1866 (176); 1873 (93)[1]	1850	R. R. 1867, 260	Mer. Auburn A.
Avon	.....	1868; 1881	R. R., 1869, 366; R. R., 1882, xiii	Mer. Avon A.
Bainbridge	.....	1874	8: 138	
Baldwinsville F. A.	1864 (94)	1864	7: 163–64	
Batavia	.....	1861	7: 46	
Bath-on-the-Hudson	.....	1870	8: 220	
Belfast	.....	1879	8: 314	Mer. Genesee Val. Sem.
Binghamton Cent. H. S.	1861 (322)	1861	By-laws, Bd. of Ed., 1861	Mer. Bing. A.
Brookfield	.....	1879	8: 321	Mer. Brookfield A.
Buffalo Cent. H. S.	1853 (230); 1861 (272)[1]	1862	7: 65–66	Begin. in 1846
Cambridge	1873 (671)	1873	R. R., 1874, 404	Mer. Cam. Washington A.
Camden	.....	1879	8: 314	
Canajoharie	.....	1877	8: 264	Mer. Canajoharie A.
Canaseraga	.....	1880	R. R., 1881, 375	
Canastota	.....	1871	8: 35	
Candor F. A.	.....	1871	8: 35	
Canton	.....	1868	R. R., 1869, xvi	
Carthage	.....	1871	8: 59	Mer. Carthage A.
Castile	.....	1873	8: 125–26	
Catskill F. A.	.....	1868	7: 293	
Champlain[2]	.....	1873	8: 104	Mer. Champlain A.
Chester	.....	1870	Manual 1870, 217	Mer. Chester A.
Clarence Clas'l U. S. (*see* Parker)				
Clarkson H. S.	1859 (154)			
Clyde H. S.	1876 (332)[1]	1881		
Cobleskill	.....	1873	8: 137	
Cooperstown	.....	1873	8: 104	Sup't Rep't, 1870, 249
Corning F. A.	1859 (298)	1860	7: 17	
Deposit	.....	1870	8: 206–7, 235	
DeRuyter	.....	1877	8: 253	Mer. DeRuyter Inst.
Dryden	.....	1873	8: 104	Mer. private sch.
Dunkirk	.....	1871	8: 59	
(East) Henrietta[2]	.....	1871	8: 50	Mer. Monroe A.
Egberts H. S. (at Cohoes)	1869 (912)	1869	7: 338, 347	Endowed H. S.; mer. Egberts' Inst.
Elizabethtown	.....	1867	7: 242–44	
Ellington	.....	1871	R. R., 1872, 350	Mer. Ellington A.
Elmira F. A.	1859 (113)	1863	7: 103–4	Mer. Elmira A.
Fairport	.....	1873	8: 104	
Flushing H. S.	1875 (340)[1]	1876	8: 238	
Forestville F. A.	.....	1867	7: 242–44	
Fort Covington A.	1853 (155)	1853	6: 61	Mer. Fort Covington A.
Fort Edward	.....	1873	8: 120	
Franklin A. (at Malone)	1858 (370); 1867 (7)[1]	1868	R. R., 1860, xvi	Mer. Franklin A.
Franklin A. and Prattsburg U. S.	.....	1870; 1878	R. R., 1870, 470; 8: 286	Mer. Franklin A.
Fulton	.....	1880	R. R., 1881, 379	
Geneva U. & Class'l	1853 (252)	1854	6: 91	
Gloversville	.....	1868	8: 12	Mer. Gloversville Union Sem.
Gowanda	1863 (252)[1]	1878	8: 303	Formerly Lodi U. S.
Greene	.....	1874	8: 100	
Greenwich	.....	1868	R. R., 1869, 378	Mer. Union Village A.
Griffith Inst. & U. S. (at Springville)	1876 (93)	1879	8: 314, 340	Mer. Griffith Inst.
Groton	.....	1873	8: 120	Mer. Groton A.

[1] Special acts placing under Regents visitation.

[2] Not reporting regularly, 1880 following.

NAME	SPECIAL LAWS	DATE OF RECOGNITION BY REGENTS	REF. TO REGENTS MINUTES, REP'TS, ETC.	SPECIAL FEATURES
Hamburg	.....	1870	8: 2	
Hancock	1863 (459)	1878	8: 294	
Haverling (at Bath)	.....	1868	7: 307	
Holland Patent	.....	1871	8: 59	
Holley	.....	1868	R. R., 1869, 371	Mer. Holley A.
Homer A. & U. S.	1873 (155)	1873	8: 125–26	Mer. Cortland A.
Hoosick Falls	1864 (520)	1865	7: 273	Mer. Balls' Sem.
Hornell F. A.	1873 (380)	1874	8: 157	
Horseheads	.....	1877	8: 264	
Huntington	1857 (387)	1863	7: 103–4	Endowed H. S.
Ilion	.....	1872	8: 87	
Ithaca H. S.	1874 (125)	1876	8: 230, 235	Mer. Ithaca A.
Jamestown U. S. & Collegiate Inst.	.....	1866	R. R., 1867, 265	Mer. Jamestown Colleg. Inst.
Johnstown	.....	1869	R. R., 1870, 347	Mer. Johnstown A.
Jordan F. A.	1867 (43)	1868	R. R., 1869, 371	Mer. Jordan A.
Keeseville	.....	1869	R. R., 1870, 469	Mer. Keeseville A.
Kingston F. A.	1863 (360)	1865	7: 208	Mer. Kingston A.
Leavenworth F. Inst. (at Wolcott)	1864(40,318)	1859	6: 400	Endowed school
Limestone	.....	1870	8: 314	
Lisle	.....	1873	8: 120	
Little Falls	.....	1873	R. R., 1874, 402	Mer. A. of Little Falls
Lockport	1847 (51) / 1850 (77)[1]	1850	5 (MSS): 425	
Lyons	1855 (550)	1857	6: 202	
Liverpool	.....	1877	8: 264	
McGrawville	.....	1867	R. R., 1868, 274	Mer. N. Y. Cent. A.
Manlius	1880 (208)	1870	8: 348	Mer. Manlius A.
Marathon	.....	1879	8: 314	Mer. Marathon A.
Massena	.....	1871	8: 59	
Mayville	.....	1868	7: 317; 8: 8	Mer. Mayville A.
Medina F. A.	1850 (321)	1851	5 (MSS): 484	
Milton[2]	1872 (874)	.....	.....	Mer. Ballston A.
Moravia	.....	1869	R. R., 1870, 366	Mer. Moravia Inst.
Morris	.....	1875	8: 206	
Morrisville[2]	1867 (820)	.....	.....	
Mount Morris	1866 (727)	1859	6: 385	
Naples	.....	1880	R. R., 1881, 403	Mer. Naples A.
Newark Un. F. Sch.	.....	1863	7: 114	See Sup't Rep't, 1843, 394
New Berlin	.....	1880	R. R., 1881, 376	
Newburgh[2]	1853 (118) / 1865 (88)[1]	(1891)	Sup't Rep't, 1863, 289	Mer. Newburgh A.
New York F. A.[2]	1847 (206)	1849	5 (MSS): 335, 360–61	N. Y. City College
Nichols	.....	1873	R. R., 1874, 412	
North Tarrytown	.....	1877	8: 254, 320	
Norwich	.....	1873	R. R. 1874, 412	Mer. Norwich A.
Nunda	.....	1878	8: 294	Mer. Nunda A.
Nyack[2]	.....	1869	R. R., 1870, xii	
Ogdensburg Ed. Inst	1857 (382) / 1881 (70)[1]	1860; 1882	R. R., 1861, 172	Mer. Ogdensburg A. Reorg. 1882 as F. A.
Olean	.....	1870	Manual 1870, 220	Mer. Olean A.
Oneonta	.....	1874	8: 166	
Onondaga F. A. (at Onondaga Valley)	1866 (839)	1868	R. R., 1869, xvi	Mer. Onondaga A.
Oswego H. S.	.....	1859	6: 385	
Ovid	.....	1873	8: 104	Mer. Genesee Conference Sem.
Owego F. A.	1869 (6)	1869	R. R. 1870, 470	Mer. Owego A.
Painted Post	.....	1878	8: 303	
Palatine Bridge	.....	1890	7: 26–27	
Palmyra Class'l Sch.	1857(296)	1858	6: 342	
Parker Class'l Sch.	.....	1869	R. R., 1870, 469	Also Clarence; mer. Clarence A. Endowed
Penn Yan	1857(76.4)	1860	7: 2	
Perry	.....	1870	R. R., 1871, 369	Mer. Perry A.
Phelps U. & Class'l Sch.	1855(553)	1857	6: 290	
Phoenix	1865 (458)	1875	8: 296	Sup't Rep't, 1867, 237
Plattsburg	1867 (810)	1868	R. R., 1869, 373	Mer. Plattsburg A.
Port Byron F. A.	1857 (305)	1860	7: 4; 6: 408	
Port Henry	.....	1878	8: 294	

[1] Special acts placing under Regents visitation.

[2] Not reporting regularly, 1880 following.

NAME	SPECIAL LAWS	DATE OF RECOGNITION BY REGENTS	REF. TO REGENTS MINUTES, REP'TS, ETC.	SPECIAL FEATURES
Port Jervis	.....	1868	7: 303	Sup't Rep't, 1865, 264.
Poughkeepsie	1870 (16)	1875	R. R., 1876, 348	Mer. A. of Dutchess County
Pulaski A	1853 (305)	1858	6: 342	
Rhinebeck	.....	1874	8: 138	Mer. Rhinebeck A.
Richburg [2]	.....	1870	8: 12	Mer. Richburg A.
Rochester F. A	1861 (143)	1862	7: 84–85	Organized 1857.
Rome F. A	.....	1867	Sup't Rep't, 1904, 549	Mer. Rome A.
Rushford	.....	1869	8: 12	Mer. Rushford A.
Rushville	.....	1871	R. R., 1872, 357	
Sag Harbor Inst [2]	1862 (441)	1877	8: 253	Mer. Sag Harbor Inst. Later endowed as Pierson H. S.
Sandy Creek	.....	1873	8: 125–26	
Sandy Hill	.....	1871	8: 59	
Saratoga Springs	1867 (353)	1868	7: 303	
Schenectady Un. Classical Inst.	1854 (178)	1856	6: 287–88	
Schenevus	.....	1880	R. R., 1881, 379	
Schoharie	.....	1873	8: 125–26	Mer. Schoharie A.
Schuylerville	.....	1878	8: 298	Mer. Schuylerville A.
Seneca Falls F. A	1867 (389)	1868	R. R., 1869, 377	Mer. Seneca Falls A.
Seymour Smith (at Pine Plains)	1864 (15)	1874; 1879	Hough, 704	Endowed school
Sherburne	.....	1867	7: 275–76	Mer. Sherburne A.
Sherman	.....	1874	8: 164	Mer. Sherman A.
Silver Creek	.....	1880	R. R., 1881, 375	
Skaneateles	.....	1868	7: 303	Mer. Skaneateles A.
Smithville	.....	1879	8: 340	
Spencer	.....	1875	8: 199	
Spencertown [2]	.....	1873	R. R., 1874, 416	Mer. Spencertown A.
Syracuse H. S	1848 (238); 1860 (357) [1]	1861	7: 65–66	
Ten Broeck F. A (at Franklinville)	1862 (353); 1868 (162) [1]	1868	R. R., 1869, 419	Endowed school
Tonawanda	.....	1877	8: 264	
Troy H. S	.....	1863	7: 103–4	
Trumansburg	.....	1879	8: 313	Mer. Trumansburg A.
Ulster F. A (at Rondout)	.....	1880	R. R., 1880, 369	
Utica F. A	1853 (272)	1853	Utica Directory, 1853, 1854.	Mer. Utica A.
Vernon	1865 (376)	1877	8: 253	Mer. Vernon A.
Wallkill (at Middletown)	.....	1868	R. R. 1869, 16	Mer. Wallkill A.
Walton	.....	1871	Manual 1870, 222	Mer. Walton A.
Warrensburg	.....	(1877)	Sup't Rep't 1878, 344	
Warsaw	.....	1855	6: 168	
Warwick F. Inst	.....	1868	Hough, 719	Mer. Warwick Inst.
Washington (F.) A (at Salem)	1851 (206)	1853	Hough, 719–21	Mer. Washington A.; partial to 1905
Waterford	.....	1871	8: 59	Mer. Waterford A.
Waterloo	1855 (238)	1855	6: 219	Mer. Waterloo A.
Watertown H. S	1865 (520)	1866	7: 209	Mer. Jefferson Co. Inst.
Waterville	.....	1874	8: 164	
Watkins Acad. U. S.	1863 (69)	1864	R. R., 1877, 708	Mer. Watkins A.
Waverly	.....	1872	8: 68	Mer. Waverly Inst.
Weedsport	1858 (212)	1873	8: 104	Mer. Weedsport A.
Westchester U. S. No. 1	.....	1877	8: 264	
Westchester U. S. No. 3	.....	1878	8: 298	
Westfield	.....	1868	R. R., 1869, 379	Mer. Westfield A.
West Hebron	.....	1870	R. R., 1871, 351	
Westport	.....	1867	7: 242–44	
Whitehall	.....	1873	8: 120	Mer. Whitehall A.
Whitney's Point	.....	1868	7: 303	
Wilson	.....	1870	8: 38	Mer. Wilson Coll. Inst.
Windsor	.....	1868	R. R., 1869, 380	Mer. Windsor A.
Woodhull	.....	1879	8: 340	Mer. Woodhull A.
Yates (at Chittenango)	.....	1872; 1873	8: 90, 104	Mer. Yates Polytechnic Inst.

[1] Special acts placing under Regents visitation.

[2] Not reporting regularly, 1880 following.

Of the nearly two hundred schools given in table 10, the great majority were bona fide institutions. The number reporting in 1880 is approximately 90 per cent as opposed to the number of incorporated and unmerged academies reporting, namely about 30 per cent (see table 12). A few were nonreporting in the decade following but high schools grew up in most of these same communities before the end of the century.

In the majority of cases the individual histories have been traced out. The reports of the school commissioners in the annual reports of the State Superintendent through a large part of this period proved a most useful supplement to the reports and minutes of the Board of Regents. It has been comparatively difficult to ascertain the exact date of establishment, inasmuch as in most cases growth was steady and slow, beginning with some slight strengthening of the curriculum of the consolidation of districts or classes of older pupils long before the definite organization of a high school. Moreover the lack of any legal requirement or legal terminology as was the case with Massachusetts, coupled with the great diversity of terms applied to public secondary schools adds another type of difficulty. In fact for a considerable period the annual Regents reports grouped well-known public high schools with academies because they bore that name. In addition the records of the Regents as to dates of establishment often proved contradictory or unverifiable. The larger number of schools recorded for the years 1868 and 1873 is in part no doubt due to the fact that in the successive reports of these years an effort was made to summarize the individual histories of the schools briefly in a definite schedule or table. The term recognition is used instead of admission in column 3 of table 10 because of the appearance of schools in these schedules without other note in the minutes or in the body of the annual reports. On the whole it seems that the variety of references used check each other in such a way as to give a high degree of certainty as to the dates given. This is even more true of the general development by quinquennial periods indicated in table 12.

In table 11 is given a summary of the establishment of schools previous to 1881 based directly on table 10. In addition the contrast is more clearly brought out regarding the relative numbers formed directly in connection with the elementary common school system and those formed by merger with existing academies. A great deal of irregularity is to be found in the history of the second group: the building was, for instance, in some cases sold to the

board of education and used for elementary classes, or academic and public elementary classes might be taught in the same building without formal transfer, or the building might be leased in whole or in part, or a joint board consisting of the academy trustees and the board of education might govern certain matters. Again amalgamation might be extended through a considerable period of years through differences of opinion and even litigation as to the best adjustment of relationships. The fear that academic property might be used for other purposes than that for which it was intended was the source of numerous special acts. The figures offered here as in the foregoing table differ somewhat from the Regents estimates; for example, a careful study of sources indicates 17 academical departments in 1860 as against 11 reported; and 68 in 1869, of which 39 were formed by merger as against 53 and 23 reported respectively.[71]

TABLE 11

Summary of high schools established by 1880

YEAR	DE NOVO	MERGED	TOTAL	YEAR	DE NOVO	MERGED	TOTAL
1849	1	.....	1	1865	.....	1	1
1850	1	.....	1	1866	1	3	4
1851	1	.....	1	1867	4	3	7
1852	.....	.....	.....	1868	7	16	23
1853	.....	3	3	1869	1	8	9
1854	1	.....	1	1870	1	8	9
1855	1	1	2	1871	7	5	12
1856	1	.....	1	1872	2	3	5
1857	1	.....	1	1873	10	11	21
1858	2	.....	2	1874	5	2	7
1859	3	.....	3	1875	3	2	5
1860	3	2	5	1876	3	1	4
1861	2	1	3	1877	5	5	10
1862	2	.....	2	1878	5	3	8
1863	3	1	4	1879	2	8	10
1864	1	1	2	1880	7	.....	7
				Totals	86	88	174

While there are numerous exceptions, the earlier schools on the whole developed in the larger centers of population in which the common schools early reached a relatively high degree of development (see table 6). A few instances will make the significance of the preceding statement more apparent. In the city of Syracuse, incorporated by the union of three villages in 1847, a board of education with powers of establishing and maintaining a high school was legalized in 1848,[72] and when organized took over the 11 districts

[71] Regents Rep'ts, 1860, p. 7; 1869, p. xvi–xvii.
[72] Laws of 1848, chap. 238.

already established.[73] A clerk was appointed with duties similar to a superintendent, reports were published from time to time and in 1850 a uniform list of textbooks was adopted which included algebra, chemistry and drawing.[74] In 1854 a principal of one of the larger schools was appointed together with an assistant to teach a high school in rented quarters.[75] Through a special act of 1860 the "higher departments of the common school, . . . known as the high schools" were placed under the Regents in 1861.[76] In Buffalo the foundations of a school system were laid by special acts of 1837 and 1838 and the school board was empowered to divide the schools into higher and lower departments.[77] By 1840 the larger schools were divided into eight classes and many of the higher English branches were being taught.[78] By 1846 these classes in some of the stronger schools had been collected into two departments and a third or higher department was established which had been urged by the superintendents since 1843.[79] An act of 1853 authorized the establishment of a central high school,[80] and a building was completed in the following year. In 1861 the school was placed under the visitation of the Regents and received state aid. Similarly in Rochester before the establishment of the free school system in 1841, some of the stronger district schools were offering higher branches, one at least Latin and French.[81] In 1857 a central high school was established; in 1862 it was admitted under special act and became known as the Rochester Free Academy.[82] In Oswego the high school was formed as the highest of four departments under a special act providing for a city school system in 1853.[83] It was admitted in 1859. In Utica and Poughkeepsie high schools were formed by the adoption of the local academies.

Table 12 gives a comprehensive view of the whole high school movement. The relative numbers of academies and high schools admitted into the University, or received under visitation, by quinquennials from 1836 when the academy movement was at its height to 1910 are shown in parallel columns

[73] Smith, Edward, History of the Schools of Syracuse, p. 46–47.
[74] Ibid., p. 66.
[75] Ibid., p. 78, 83, 88.
[76] Laws of 1860, chap. 357; Smith, op. cit., p. 266–67.
[77] Laws of 1837, chap. 392; 1838, chap. 63. See table 6.
[78] Assembly Documents, 1840, no. 307.
[79] Sup't Rep't, 1863, p. 125–26.
[80] Laws of 1853, chap. 230.
[81] Assembly Documents, 1840, no. 307.
[82] Laws of 1861, chap. 143; Sup't Rep't, 1863, p. 118–20.
[83] Laws of 1853, chap. 119; Sup't Rep't, 1866, p. 257.

with the respective numbers of the two types of institutions reporting to the Regents in the years completing the quinquennial periods. It should be remembered that the academy movement had been under way a half century before the table begins. Miller finds 83 academies before 1836.[84] His figures differ slightly as to the numbers exhibited in table 12, due principally to slight differences in interpretation. In this report, such endowed schools as Ten Broeck Free Academy, Seymour Smith Academy and Leavenworth Institute as well as a few schools where control was divided between a board of trustees and the board of education have been grouped with the high schools as they seemed to be characterized by the same tendency toward public free secondary education. The figures of the annual reports of the Regents differ markedly. In the main this is due to the failure to discriminate between schools alike in name, that is termed, for example, academy, but quite unlike in control and purpose. The errors were repeated year after year. From 1890 on a small number of consolidations, for example in the suburbs of New York City, were made and no attempt is made to take account of that fact in this table. It is significant that the first period of marked growth in the high school movement is the decade following the close of the Civil War and is brought to a climax by a special effort to secure aid in larger measure for the secondary system in 1873. Then a period of fifteen years follows in which growth was relatively slow numerically but in which the system as a whole was being strengthened and centralized, followed by a like period wherein the growth in number of schools was phenomenal and the opportunities of secondary education were extended to the great body of villages and smaller communities of the State as formerly to the cities and the larger villages. A factor in the slow growth from 1875 to 1890 was the fact that before this the high school movement had been extended by half through the mergers of academies (see table 11) while after this the number of such mergers was relatively insignificant. It should perhaps be added that the period of new growth in the old-line academy at the very end of the century was due to the development of new types of schools, principally business schools and church institutions of the Roman Catholic faith. In the above table as in the study as a whole no account is taken of the academical departments of normal schools which provided facilities for a considerable number of children who were residents in the communities. The omission is due to lack of data and to the fact that the function of these schools was different from that of the high school proper.

[84] Op. cit.

TABLE 12

Academies and high schools admitted and reporting, 1836–1910

	ADMISSIONS BY QUINQUENNIALS			SECONDARY SCHOOLS REPORTING	
	Academies	High schools		Academies	High schools
1836–40	60	.....	1840	141	.....
1841–45	41	.....	1845	153	.....
1846–50	29	2	1850	162	2
1851–55	47	7	1855	157	8
1856–60	25	12	1860	170	22
1861–65	16	12	1865	168	34
1866–70	15	52	1870	122	73
1871–75	7	50	1875	95	121
1876–80	3	39	1880	84	156
1881–85	6	32	1885	70	191
1886–90	29	40	1890	101	234
1891–95	48	105	1895	131	373
1896–1900	32	184	1900	140	565
1901–05	27	111	1905	138	665
1906–10	12	42	1910	164	700

The marked increase in the number of high schools from 1893 on was due, as we have seen, to the twofold policy of bringing up the standards of the schools, both reporting and nonreporting, and of encouraging the establishment of less than four-year schools. Two years were given for the adoption of the standards of grading set in 1894 (see table 9). As a supplement to table 12, and with a view to setting forth the significance of the method of grading, table 13 gives data showing the numbers of schools of each grade for different years from 1896 to 1912.[85]

TABLE 13

Secondary schools reporting, 1896–1912, classified by grades

(Academical departments of public schools only)

	HIGH SCHOOLS	SENIOR SCHOOLS	MIDDLE SCHOOLS	JUNIOR SCHOOLS	TOTAL
Jan. 1, 1896[1]	125	19	36	106	297[2]
Oct. 21, 1896	214	34	43	137	430[3]
June 30, 1897	247	26	50	140	465[3]
Dec. 22, 1897	253	24	51	158	487[3]
Dec. 16, 1898	279[4]	28[5]	67[6]	146[7]	522[3]
Nov. 17, 1899	311[8]	30[9]	61[10]	137[11]	541[3]
Nov. 9, 1900	338	35	63	124	562[2]
1903	393	54	60	126	633
1906	434	60	52	122	668
1909	465	122	34	66	687
1912	509	106	38	65	725

[1] Schools admitted previous to Feb. 8, 1894. [2] Including 9 schools below grade and two special schools. [3] Including two special schools. [4–11] Number deficient in library and apparatus, respectively, 25, 3, 17, 21, 33, 1, 4, 14.

[85] Regents Rep'ts, 1898, p. 192; 1899, Rep't H. S. Dep't, p. 361; 1900, Rep't H. S. Dep't, p. 120; Ed. Dep't Rep't, 1914, p. 856.

In the decade from 1889 to 1898, the number of public secondary schools had increased two and one-half times. The classification of 1896 had placed considerably over one-half of the schools in other than the high school class but there was rapid advancement from grade to grade so that the number of high schools doubled from January 1, 1896 to June 1897. Of 278 junior schools entering in the years 1893 to 1901 forming about 85 per cent of entering public secondary schools, 74 had by the end of the period become high schools, 26 had become senior schools and 40, middle schools.[86] Naturally such rapid growth meant a failure to rise to and maintain adequate standards, until the Regents system of inspection was well organized. Schools of junior rank were reported to be attempting to give the full four-year course.[87] A summary for 1893 of the status of the ten lowest and ten highest of the academical departments in the several items on which annual reports were made showed much greater variability among them than among the academies and revealed the fact that the average number of pupils of the ten lowest was 8 while they had but one teacher each; 74 others had but two teachers each.[88] In 1900 the average number of pupils for the same group was ten and the number of schools having one teacher had increased to 35.[89] In the meantime low standards of equipment were reported in a large number of schools (see footnotes 4–11, table 13) until the low mark in 1900, when 66 schools were found deficient in required articles of library or apparatus.[90] Despite the rapid correction of the matter by the Board of Regents, the Department of Public Instruction in the annual reports of 1903 and 1904, at a time of much rivalry and even open hostility between the two departments, claimed that schools existed without academic pupils and sought to discredit the work of the Regents, claiming that they sought to extend their control over the whole educational system.[91]

5 *Factors Conditioning the Development of High Schools*

In the two preceding sections we have traced the growth of a body of practice regarding the admission of public secondary schools into The University of the State of New York and have traced the actual development of these schools. It remains to note those factors that

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[86] Regents Rep't, 1902, Rep't H. S. Dep't, p. 115; 1904, Rep't H. S. Dep't, 1:114–16.
[87] Regents Rep't, 1900, Rep't H. S. Dep't, p. 119; cf. Ed. Dep't Rep't, 1905, p. 259.
[88] Regents Rep't, 1894, p. 1256–57.
[89] Regents Rep't, 1900, p. 156–57.
[90] Regents Rep't, 1901, Rep't H. S. Dep't, p. 118.
[91] Sup't Rep't, 1903, p. xii–xiii, xxvii; 1904, p. xxxii–xxxvii.

brought about the development of a highly centralized system of secondary education, which has made New York typical of that group of states wherein educational policies have been to a very large extent initiated and directed by the State Department. Successive chapters deal with the more significant lines of development of state control of secondary education, namely, distribution of state aid, reporting and inspection, and the system of examinations in academic and preacademic subjects. In this section factors that entered in to condition the otherwise more rapid growth of high schools will be treated as follows: the character of the union free school law, the slow growth of the tendency toward centralization in the lower schools, the intrenchment of the academy system and the tardy acceptance of the "free high school idea."

a Character of the Union Free School Law. We have seen that before the middle of the century it had come to be rather generally appreciated that public secondary school facilities could not be offered even in the large communities with advantage except through the consolidation of districts and the consequent extension of the unit of taxation and control and the consequent increase in number of pupils and teachers. Therefore following the experimentation of the larger villages and cities in some number, the union free school act of 1853 was framed to encourage and stimulate this tendency. The law, however, and its successive amendments were permissive in nature and, although intended to prevent the continuance of special legislation, seemed rather to foster this in the first decade.[92] Questions of legal interpretation proved very serious and included the following matters: (1) doubt as to whether in the case of unincorporated villages or rural districts the board of education had any power to levy taxes or whether it must wait upon a majority or two-thirds vote of the inhabitants; (2) failure of the act to make specific provision for the disuse of the rate bill although the evident intent of the law was such; (3) the lack of guaranty of continued privileges beyond a period of five years to the annual state apportionment of common school moneys which was made on the basis of the number of districts; (4) lack of provision for the dissolution of union school districts in case the taxpayers were displeased with consolidation, an evident source of hesitation to undertake consolidation.[93] The first difficulty was in part remedied by an amendment of 1863,[94] the

[92] Sup't Rep't, 1856, p. 19; cf. the great number of special acts creating union schools or city and village systems.
[93] Sup't Rep'ts, particularly, 1856, p. 19–20; 1860, p. 15.
[94] Laws of 1863, chap. 328.

second and third were made clear by the consolidated law of 1864,[95] and the fourth by a special act of 1880.[96]

Complete and accurate data are lacking as to the establishment of union schools. The Superintendent of Public Instruction reported after the lapse of two and one-half years that 25 districts had been organized under the law.[97] Within the first decade, that is by 1864, there appear to have been 120 union schools in existence, including those established under special acts but not the city systems.[98] Occasional summaries in the annual reports of the State Superintendent, always without substantiating data, are as follows: 1870, 250 schools under the act; 1884, 365 schools under the act and 65 under special acts; 1893, 503 under the act as opposed to 10,667 common district schools and 615 schools within about 40 city systems; 1905, 690 union free school districts, all by this time operating in most features under the general act.[99] It seems probable from these data that the movement was comparatively uniform with perhaps the greatest relative growth in the decade following the act of 1864. In this period the attention of the school commissioners and the State Superintendents was centered more largely upon this issue than upon other problems that tended to be of larger concern later. In the reports of both, the comments were made upon the successful establishment of individual schools and such advantages as the following were repeatedly pointed out; adequate grading and classification of pupils, better equalization of the burden of taxation, gain in the efficiency of the organization of the schools and progress toward free schools throughout the State.[1] The reasons for the comparatively slow development of union schools in so far as they are not suggested in the present discussion will further be seen in the two following sections.

b Slow growth of centralization in the common school system. At the time of the initiation of the high school movement the administration of the lower schools was in the hands of the Secretary of State. Furthermore the county unit of organization had been

[95] Laws of 1864, chap. 555, title ix.
[96] Laws of 1880, chap. 514.
[97] Sup't Rep't, 1856. p. 19.
[98] Compiled from the following sources: Sup't Rep't, 1863-65 (annual reports of school commissioners appended in full or in part); Laws of New York, 1846-64; French, Gazeteer of the State of New York, 1860.
[99] Sup't Rep't, 1870, p. 22-23, 60; 1871, p. 25-26; 1884, p. 41-42; 1893, p. 7. Ed. Dep't Rep't, 1905, p. 41.
[1] Sup't Rep'ts, 1855, p. 12; 1856, p. 20; 1868, p. 59; 1860, p. 20. The Report of 1862 (p. 16) favored making the act compulsory under certain limitations.

falteringly tried and abandoned and the effort to establish a system of free schools throughout the State had failed to carry with it the abolition of the "odious rate bill" and therefore had only partially accomplished its purpose. This section aims to trace some of the more important steps toward such centralization of control and support by the State as was essential before the lower schools could attain a degree of effectiveness such as would promote adequate secondary school developments.

The first important step in this direction other than the union school law of 1853 was an act of 1854 providing for the creation of the office of Superintendent of Public Instruction, which had been demanded by the friends of education as a means to increased efficiency of the schools and the lessening of political control.[2] This was soon followed by the establishment of the office of school commissioner. These officers elected within assembly districts were given large powers of examination of teachers, and supervision and inspection of schools. They were, however, required to make annual reports to the State Superintendent, could be removed by him for cause and were consequently in part paid out of the income of the United States deposit fund.[3] In the same year, 1856, the annual state tax for the lower schools of $800,000 was changed to a three-fourths mill tax,[4] and in 1867 the rate bill was abolished. Moreover an act of 1856 and the consolidation act of 1864 changed the distribution of state school moneys from the basis of the district to that of the teacher.

Following these very significant steps toward state control and a more equitable and stimulating method of state support, bills were passed in 1866 and 1867 supplementing the single state normal school at Albany created in 1844 with five additional normal schools in various parts of the State,[5] thus paving the way for a definite state policy in the preparation of its teachers. In the decade of the seventies, there were passed three acts providing for a greater degree of state direction in school matters: (1) a compulsory school attendance act, which was largely ineffective because machinery adequate for enforcement was not provided,[6] (2) an act providing for a system of state examinations of candidates for teachers life certificates

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[2] Laws of 1854, chap. 97. For discussions, see Randall, op. cit., p. 51, 101, 105; New York Teacher, 1:215, 351–52, 363; Assembly Documents, 1854, no. 39.
[3] Laws of 1856, chap. 179.
[4] Laws of 1856, chap. 180.
[5] Laws of 1866, chap. 466; 1867, chap. 583.
[6] Laws of 1874, chap. 421.

instead of the method of recommendation then in vogue,[7] and (3) an act enabling local boards of trustees or of education to adopt uniform textbooks for periods of five years.[8]

Just as the first and second quarters of the century had seen the laying of the foundations of the common public school system and the third had seen the experimental efforts to work out the problems of teacher-training, state aid and state administration, the last quarter of the century is marked by the knitting up of these various agencies and the adoption of a conscious policy of centralized authority. It can not be maintained that school developments were as remarkable as the strides in the increase and concentration of population, the increase of wealth and the development of industry and transportation, but the effects of the latter are clearly seen.

The office of State Superintendent remained the source of settlement of school dispute,[9] and particularly during the incumbency of A. S. Draper, 1886 to 1892, became the clearinghouse for all sorts of school problems. In 1887 lists of questions were prepared and sent out to the school commissioners for their optional use in the examination of teachers and in 1888 all the commissioners had supplanted their own lists with these. In 1889 the teachers training classes in the academies and high schools were transferred from the control of the Board of Regents to that of the Superintendent. In 1893 the commissioners began the practice of sending the examination papers to the State Department for rating.

Moreover Doctor Draper actively advocated the principle of centralization and put forward the theory that the schools of the State were state and not local institutions, for which the State must work out a program and policy and for which it must take the responsibility in regard to their efficiency.[10] In this he was borne out by several important court decisions,[11] so that just as the free school triumph of 1867 had settled the question as to the right to use state property to support free education of the children of the State, by the close of the century it was generally understood and accepted that the educational problems of each community were matters of state concern and that state interference was certain in case local officers or teachers grossly violated state laws or state educational

[7] Laws of 1875, chap. 567.
[8] Laws of 1877, chap. 413.
[9] 12,297 appeals were settled from 1855 to 1875; Sup't Rep't, 1875, p. 53.
[10] Sup't Rep'ts, 1889, p. 72–73; 1890, p. 97–105; 1891, app. p. 147–64; also Educational Review, 1:30; 15:100.
[11] Ridenour vs. Board of Education of Brooklyn, in N. Y. State Reporter, 72, p. 155; People ex rel., vs. Bennett, 54 Barb., 480; also Sup't Rep't, 1898, 1:103, 122–25.

precedents. It is interesting to note in passing that this centralizing tendency was clearly seen in other branches of government within the State and that the Board of Regents during the last decades of the century was rapidly extending its authority in similar lines, namely inspection, examination and distribution of finance. It was this fact as much as anything, that at first made for lack of harmony between the two departments and after the consolidation of 1904 made for ease of adjustment.

It will be seen that many of these developments would necessarily react very slowly and very little upon the secondary schools, and further that the really significant centralizing tendencies are late in the century. Moreover in no case did this legislation concern itself with other than the elementary schools. In addition it should be said that much contemplated beneficent legislation failed of passage. The best illustration is that providing for permissive township organization of schools earnestly advocated by the superintendents and other educational leaders of the State almost annually from about 1860 on.[12]

c Intrenchment of the academy system. Before the period known as the "educational revival," the academy and similarly the college were in New York State considered parts of the "system of instruction."[13] While the conception persisted in some quarters throughout the century, with the rise of the lower schools into a measure of adequacy a changed viewpoint gradually came in. Petitions were sent the Legislature asking the discontinuance of the practice of giving aid to the academies while common school advocates urged that the academies tended to foster an undemocratic spirit and encroached on the field of the common schools to such an extent that the latter did not flourish in the same vicinity.[14] On the other hand, the academy advocates held that the prosperity of the common schools depended directly upon the ability of the academies to provide teachers and similarly to provide an educational leadership to foster and promote the lower schools.[15] In a special report in 1845 the legislative committee on colleges, academies and common schools reviewed the principles which had directed educational legislation in

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[12] A bill actually passed the Senate in 1893 (see Regents Rep't, 1894, 1:304) and in 1917 an act was passed only to be vigorously attacked and nearly annulled in the following year.

[13] Governors Annual Messages in Senate Jour., 1837, p. 11; Assembly Jour., 1839, p. 29. See similarly Assembly Jour., 1853, p. 15–16; Sup't Rep't, 1857, p. 11–12; New York Teacher, 1:3, 80; Regents Rep't, 1863, p. 17.

[14] Sup't Rep'ts, 1843, p. 274–75; 1865, p. 108.

[15] Regents Minutes (MSS), 4:380; Regents Rep't, 1861, p. 8.

the State and maintained that these included not only provision of elementary instruction for all but also " facilities and encouragement to those whose talents and aspirations urge them on to the acquiring of a more complete and thorough education."[16] Inasmuch as such facilities were at the time offered only by voluntary schools, this report tended to strengthen the existing policies and " system."

Contemporaneously with the union free school law, the Superintendent in his annual reports began the advocacy of a scholarship plan as a solution of the matter.[17] The Superintendent held that, as it was a recognized principle that the many should not be taxed for the benefit of the few and that consequently all money spent by the State for educational purposes must be so spent as to make for equality of opportunity, there were but two alternatives, either the withdrawal of state support from the academies or the requirement that such money be given in the form of scholarships available to those who showed special fitness for higher education. Against the former plan could be urged its possible unconstitutionality and the further considerations that it meant that a large sum of money already given to the academies by the State would have to be relinquished and also that the academies would then become even more the monopoly of the well-to-do. In favor of the scholarships were cited the city high schools of New York, Philadelphia and Utica, where admission was through competitive examination. Nothing came of the matter, however, as the State had as yet developed no plan of examinations nor sufficient central authority for their administration. It is probable that the greatest value of the conception was the initiation of the discussion of scholarships which had fruition a half century later in providing opportunity for collegiate rather than secondary education.

The problems of the academy were largely financial. As early as 1840 the Regents found it necessary to pass an ordinance denying aid from state funds to schools which leased their property to the principal, thereby relaxing oversight completely.[18] The privilege of granting dividends in the case of academies organized as stock companies was given by the Legislature in 1851 but withdrawn in 1857 because it was out of sympathy with the general practices of the Regents.[19] The constantly noted evils of the frequent changes of

[16] Assembly Documents, 1845.
[17] Sup't Rep't, 1853, p. 13–19; 1854, p. 32–37; 1855, p. 21–27; 1856, p. 39–41. Also Assembly Jour., 1855, p. 21; 1856, p. 102, and Sup't Rep't, 1870, p. 68.
[18] Regents Minutes (MSS), 4:296 ff.; cf. Regents Rep't, 1863, p. 15–16.
[19] Laws of 1851, chap. 544; 1857, chap. 527.

principals and teachers together with their lack of qualifications, as determined by the boards of trustees, had their root in the same source.[20] Voluntary endowments were considered the means of relief to the academies and in 1867 a committee of the University Convocation drafted a bill looking to the encouragement of these.[21] The proposal failed as did the earlier plan to restrict the distribution of existing state funds for secondary schools to the academies, provided a like sum be given to the rapidly growing number of high schools.[22]

In 1873 representatives of the academies succeeded in framing a bill and securing its passage, augmenting considerably the annual appropriation, but the advantage worked equally to the high schools and the bill lapsed after one year. In the controversy that arose, interest centered largely in the question as to whether or not the academy was a private institution. The Superintendent in a lengthy discussion of the propriety of the appropriation held that the academy was private and that the state tax, if such were to be levied, should be restricted in its distribution to the public high schools.[23] The Regents in reply maintained that the academies were public institutions holding private property in trust but property devoted by the laws of the State and the constitution to public ends only.[24] They held further that three or four millions of endowment of the academies was a means of relief to the State of an equivalent in taxation. In this sum, however, as just as the position may have been, all property of the academies was included, endowments alone probably totalling not more than $800,000, about equally divided between a few strong schools and a large number of weak schools.[25]

By this time the numerical strength of the high schools equalled that of the academies and, after the temporary financial relief of the one year, the academies in greater numbers than before merged with

[20] Regents Rep't, 1882, p. xvii; cf. Annals of Ed., 9:178.
[21] Regents Rep't, 1868, p. 691 ff.; cf. 1870, p. 613–16.
[22] Regents Rep't, 1860, p. 7; 1875, p. xiv.
[23] Sup't Rep't, 1873, p. 60–68.
[24] Regents Rep't, 1874, p. xii–xiii, 1875, p. xii; cf. Senate Documents, 1870, no. 82, p. 4. This view was maintained up to the very year of unification of the two systems; see Regents Rep't, 1904, p. r10, r16; Assembly Documents, 1904, no. 25, p. 12–13; Ed. Dep't Rep't, 1905, p. 51.
[25] Regents Rep't, 1874, p. 472–79. A study of the property of the academies for that year shows that but 25 had plants and equipment worth more than $25,000 and that only 35 had total property valued at that figure or above. The endowments (entitled in the schedules "other academic property") ranged as follows: 1 academy between $75,000 and $100,000; 1 between $51,000 and $75,000; 3 between $21,000 and $25,000; 6 between $16,000 and $20,000; 9 between $11,000 and $15,000; 8 between $6000 and $10,000 and the remaining 60, about 70 per cent of the number, $5000 or less.

the public schools. The Regents long justified their continuance, particularly for two functions: (1) service to rural sections where high schools were not established and were not likely to be, and (2) preparation of pupils for colleges.[26] Apart, however, from some of the stronger schools which persisted because a large endowment enabled them to realize the above-mentioned functions, the academy as a system of higher education was well set aside by 1880. Forces in the broader economic and social life determined the change in the institutional nature of secondary education despite the educational leadership of the State. In the next section supplementary data will be brought out in a review of the literature on the high school.

d Growth and acceptance of the "free high school idea." The concept of a free high school supplementing the lower common schools was a matter of relatively late growth in New York as compared with New England. It is the purpose of this section to trace the slow growth of this idea as a significant factor determining the progress of the movement.

An abundant literature of the middle of the century, favoring the introduction of higher subjects into the common schools and the consolidation of schools, gives little evidence that most of those who favored these changes either foresaw the natural development of the high school or free academy type of organization or the later vigorous opposition to that institution. Bills for the creation of individual schools on the whole seem not to have met with much opposition although in the one case of Brooklyn, actual defeat was met with.[27] Both general and special acts left the questions of establishment and maintenance to the local electorate and its delegated school officers. By the last quarter of the century the matter had become a statewide issue.

In the local contests for the establishment of high schools, the arguments that won the day were usually advanced along three main lines: (1) Such institutions had a favorable effect upon the lower schools. They stimulated the pupils to seek higher education, in particular alleviating the problems of congestion and discipline in the upper grades. They prepared teachers for the lower schools, especially the "female" schools, so that it came to be the common practice to require graduation from the high school for

[26] Regents Rep'ts, 1870, p. xviii; 1873, p. 597; 1882, p. xiv; 1885, p. 12–13; 1894, p. 170, 165 ff.; 1904, I, p. 115–16.

[27] Assembly Jour., 1864, p. 194, 372, 584, 1121, 1141, 1238, 1246; Senate Jour., 1864, p. 739.

admission to teachers examinations. The elementary curriculum was extended and broadened and the interest of the better classes so enlisted that the relative strength of the private schools declined. (2) Opportunity for education was equalized and a corresponding democracy in higher education established. Youth formerly unable to attend higher schools could now do so and the basis of such education was made scholarship merit and not wealth. Moreover pupils of all classes worked side by side and thus the growing tendency toward class spirit and jealousy was reduced, a situation paralleled by the earlier introduction of free school systems in the cities. (3) Trained leadership was provided not only for the professions but for the various pursuits of the business and commercial life. Society in general thereby profited and advances were made in the various lines of community need and interest.[28]

Objectors either to the foundation or maintenance of high schools attacked these arguments and advanced counterarguments in the following vein: (1) they were class schools as only a few could or would attend them; (2) they therefore violated the principles of equality of burden and equality of opportunity; (3) they withdrew money needed for the lower schools or for the special care of the unfortunate classes and their children; (4) the right and obligation of, as well as the advantages to, the State were in question when the support of education extended beyond the elementary stages. The latter was regarded generally as a necessity in preparation for suffrage.[29]

As a result of local opposition without a state policy of mandatory secondary education, the temporary withdrawal of funds often occasioned serious delay in the establishment of high schools or the extension of their work.[30] In other places boards of education were often forced through niggardly policies of the council to reduce the wages of teachers or reduce the number. Other cities, notably Brooklyn and New York, had no local high school system until the very end of the century. An additional source of difficulty was that of jealousies within the staff of the school, especially between the

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[28] Annual reports of the New York Free Academy and of the boards of education of the various cities, New York, Rochester, Buffalo, Brooklyn etc., especially from 1845 to 1860. Kiddle and Schem, Cyclopedia of Education, High Schools. See also Annual Rep'ts of Sup't of Pub. Inst., 1850, ff.

[29] Ibid. See in particular, Annual Rep't Bd. of Ed. (New York City), 1850, p. 30–31 and Rep't of a Committee of the New York Municipal Society, 1878.

[30] School Bulletin, 1:56; 4:184.

superintendent and the principal. Of the two the latter was typically the best trained man professionally and in one case at least the townspeople took sides, involving the question of the continuance of the high school. Again difficulties arose in the adjustment of terms between contracting trustees of academies and boards of education when the merger of the two systems was contemplated which resulted in delay over considerable periods of time in the adequate reestablishment of proper secondary facilities.[31] Another source of difficulty was found in the tendency to continue to charge tuition in the case of residents, a practice established under the academy system, with the result that antagonism was encouraged on the part of taxpayers.

Just as local sentiment passed through a stage of uncertainty and skepticism as to the place of the high school, similarly the attitude of the Regents was a matter of slow growth until they accepted the high school as the logical successor of the academy. Immediately upon the passage of the union free school act of 1853, which ushered in the general high school movement, precautionary measures were taken to safeguard the movement. In the same year an ordinance was passed requiring notice to be given in the state and local papers by any institution desiring a change in its charter.[32] This appears to have been aimed at the merging of academies into high schools, but no data are available as to its effectiveness. In 1855, on the day of the first admission of a high school under the general act, a resolution was adopted appointing a special committee to inquire into the "nature and extent of the privileges and immunities" of union free schools, but again no data are available as to the committee's work.[33] At no time was any ordinance or resolution passed definitely hostile to the high schools, but during the rapid numerical development of the sixties and early seventies, the Regents had occasion to point out many of the inadequacies of these schools and their administration.

Among the more frequent statements of the Regents, which indicate at once the comparative inefficiency of the high schools and the attitude of the Regents, are the following: (1) they withdrew from the academies the funds needed for their support; (2) they charged tuition to nonresident pupils, therefore not forming a com-

[31] Regents Rep't, 1877, p. 718–24; Sup't Rep't, 1868, p. 269–70; Regents Minutes, 8:38.
[32] Regents Minutes, 6:46.
[33] Regents Minutes, 6:166.

plete substitute for the displaced academies;[34] (3) they were often found poorly equipped in the matter of library and apparatus and therefore often had to be admitted conditionally;[35] (4) they were frequently created when the number of pupils and the promise of support were inadequate;[36] (5) they were lacking in "thorough management and control," for which a committee of investigation was appointed in 1873;[37] (6) they did not appeal to a sufficiently large number of youth of high school age, presumably because their courses did not furnish "direct preparation for the practical and active duties of life."[38] In part the Regents view of the work of the high schools was determined by the long period of fosterage of the academies discussed in the previous section. As the decay of this system became evident in the seventies and eighties, a wave of controversy swept the State and indeed the country as to the propriety of the State participating in the provision of higher educational facilities and from this point on the Regents had to defend alike the academy and the high school.[39]

It remains therefore to trace out the more specific contest of the quarter century from 1870 on in which the issue was as to whether or not the high school should be supported by the State. From the first this question was bound up with another already discussed to some extent, namely as to the public or private nature of the academy. In 1870 the problem was officially set forth in a report of the Superintendent of Public Instruction in his answer to an Assembly resolution asking his opinion on the propriety of the abolition of the Board of Regents, a matter which had been vigorously discussed for a number of years.[40] He held that the Board should be retained but placed under the general control of the Superintendent and went

[34] Regents Rep't, 1871, p. xvii.
[35] Regents Rep't, 1882, p. xiv; cf. Regents Minutes, 7:87, 230, 254.
[36] Regents Minutes, 7:319. Regents Rep'ts, 1871, p. xix; 1873, p. xvi–xvii; 1874, p. xvi–xviii; 1878, p. xi; 1882, p. xiii; 1885, p. 12.
[37] Regents Minutes, 8:121; cf. p. 2.
[38] Regents Rep't, 1869, p. xviii–xx. A table on page xviii shows that in nine cities having high schools but 2.88 per cent of youth ranging in age from 12 to 21 years were in school as compared with 4.82 per cent in the State as a whole. However, from the schedules of the same report less damaging evidence is adducible. The number allowed as strictly academic pupils and therefore counting in the distribution of the state funds constituted for the cities included above 1.16 per cent of the total population as against 1.37 per cent for the State as a whole. Similarly the number allowed in the count constituted for these cities 40.2 per cent of the total high school enrolment as against 28.4 per cent for the State, indicating that the secondary school population in the cities represented a much more highly selected group.
[39] Barnard's Jour. of Ed., 29:lxxxi–lxxxviii.
[40] Sup't Rep't, 1870, p. 59–74.

on to interpret the larger question of the duty of the State in regard to secondary education. The academies were private institutions and therefore without the pale of the public school system. The State had never intended to provide free academic instruction and it was an open question whether it should. Moreover he believed there was evident an unwillingness of the people to establish and maintain higher schools. The Regents in a reply to a similar resolution asking them to set forth their powers and the desirability of their extension, urged the proposition that the colleges and academies because of their support by means of voluntary subscriptions were not amenable to the same detailed supervision as the common schools.[41] They considered their powers sufficient as they involved the requirement of reports, incorporation and inspection. Strange to say, neither report emphasized the essential distinction between the academy and high school.

The special tax levied for the increased state support of higher schools in 1873, was the occasion for a second statement of Superintendent Weaver, who again maintained that a general tax for higher education was a precedent of doubtful merit and worth.[42] A special report of the Regents in the following year reaffirmed the principles formerly set forth and sought to answer the objections to the sharing of the academies in the state tax by calling attention to the fact that one-half of its benefit accrued to the high schools because of their rapid growth.[43]

In the University Convocation of 1876, when it was still strongly representative of the colleges and academies, one of the chief subjects for discussion following a paper on the same subject was that of Voluntaryism in Education.[44] The major contentions were that support of schools by taxation should be limited to the common schools and possibly the training of teachers therefor and that higher education should be provided by "individual and corporate benevolence" under general state laws. A still more significant and influential utterance was that of Regent Charles Fitch two years later before the State Teachers Association, which laid down the two propositions that (1) "the State has no right to foster . . . scholarship" and that (2) "the voluntary principle not only can, but

[41] Senate Documents, 1870, no. 82.
[42] Sup't Rep't, 1873, p. 60–63; cf. Regents Rep't, 1874, p. 659–63.
[43] Assembly Documents, 1874, no. 78.
[44] Regents Rep't, 1877, p. 627–37.

will take care of higher education."[45] A vigorous denial of these views was made in the annual meeting of the Association of School Commissioners and City Superintendents in a series of resolutions which were adopted.[46] Ex-Governor Seymour in an address before the same body argued that the peculiar feature of the American system was that it was diffusive in nature and that all institutions belong to it. Simultaneously Governor Robinson in his annual messages of 1877 to 1879 attacked most viciously the support of higher schools by taxation, decrying it as a "violation of personal rights" and as "legalized robbery."[47]

Had such powerful and authoritative attacks been made a couple of decades earlier, undoubtedly the course of the growth of the high school might have been temporarily stopped at the source. As it was, the period from 1875 to 1885 was one of very slow development relatively of both types of secondary schools (Tables 11 and 12). The literature of the period is replete with discussions of the issues defined above. Of particular interest are the papers and reports of discussions on the floor of the University Convocation. A large number of these for this decade centered in the two related topics: (1) the relation of the various schools of the State to one another and to the State,[48] and (2) the specific function of the high schools and of the academies.[49] The struggles of the academies to maintain their ancient position in secondary education and consequently the supremacy of the voluntary principle were definitely affected by the two following events: (1) the reorganization of the University Convocation in 1882 and following, so that discussions of current problems rather than learned papers became the general practice and that consequently a wider appeal was made to the secondary schools,[50] and (2) the stipulation of the Legislature in 1887 that of the $100,000 appropriation to secondary schools, the academies must be restricted to $40,000.[51]

Until about 1893 the matter rested so far as the office of the State Superintendent was concerned. Incumbents of this office from 1874

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[45] School Bulletin, 3:66–68. He reaffirmed these views in the University Convocation of 1883 in a discussion concerning the place of the academies in secondary education; Regents Rep't, 1884, p. 68.

[46] School Bulletin, 4:98–99.

[47] Senate Documents, 1877, no. 2, p. 19–20; 1878, no. 2, p. 20–21; 1879, p. 15–16.

[48] Regents Rep'ts, 1873, p. 541–44; 1875, p. 695–703; 1876, p. 603–15; 1877, p. 610–16; 1878, p. 401. Proc. of Univ. Convoc., 1884, p. 138–55.

[49] Regents Rep'ts, 1873, p. 556–66; 1875, p. 711–15; 1884, p. 58–75.

[50] Regents Rep't, 1882, p. 314–18; School Bulletin, 3:193–94; 7:17–18, 141.

[51] Laws of 1887, chap. 709.

to 1893 were largely favorable to higher education in event it was permissive and the lower schools did not suffer by the withdrawal of funds.[52] Superintendent Draper did indeed express the belief that the higher schools were absorbing too much attention and perhaps too large a portion of the state moneys,[53] but in general his views are indicated in the following statement from an address of 1890:

> I entertain no doubt of the right and the propriety of the support of high schools at common cost at the option of qualified electors of each community. . . . High schools have come to acquire a legal status in our system.[54]

His successor in office, however, launched a vigorous and destructive criticism of the practice of giving state moneys to higher schools. The following is from the report of 1893:

> It is my position that a vast amount of the public moneys is diverted from the original purpose in furnishing higher education to a small number of a favored class, who, in most cases, are well able to obtain it without the aid of the State.[55]

The decade that followed revived the old question of the division of labor between the two state departments which was only finally settled by their unification. The rapid relative decline of the academy and the policy of extension of high school facilities of the earlier part of the last decade of the century had won the Regents to a new point of view, which was strengthened by the constant attacks of the Superintendent during the same period. The Secretary of the Board no doubt voiced their sentiments when he declared that there were but three classes which opposed the high school; aristocrats, demagogues and the selfish rich.[56] Presumably the offending Superintendent belonged to the second group. To set forth adequately the conception of the free high school and to offset the activities of its powerful enemies, a special bulletin was published entitled "High Schools and the State" in which were assembled a number of addresses of the State's foremost educators on the function of the public high school and the supplementary problem of its support by the State.[57] The University Convocation of 1894 devoted an afternoon and evening to discussion of the same topics[58] and at the suggestion of the Secretary of the Regents, the School Bulletin, the most widely read school paper of the State at the time, published a five

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[52] Sup't Rep'ts, 1879, p. 27–28; 1884, p. 41–42.
[53] Sup't Rep'ts, 1887, p. 18, 29; 1891, p. xl–xli; 1892, p. lv.
[54] Sup't Rep't, 1891, app., p. 218–19.
[55] Sup't Rep't, 1893, p. 14. Cf. 1894, 1:33, 35, 47.
[56] Regents Rep't, 1894, p. 1260.
[57] Regents Rep't, 1895, I, app. 1, Bul. 26
[58] Regents Rep't, 1895, I, app., p. 219–73.

page symposium on the same subject.[59] Likewise the Associated Academic Principals urged through a printed letter to the newspapers that the fallacies of the Superintendent be laid bare.[60] It can scarcely be said that new arguments were brought forth but the old were reiterated until forced upon the attention of all. With the establishment of a high school department by the Regents in 1898 and with increased aid in 1901, the work of public secondary education went forward with remarkable strides. It is interesting to note that at the century's end both the Secretary of the Regents in an annual address before the University Convocation,[61] and the Superintendent in his annual reports,[62] spoke in very similar language of the high school as the capstone of the common school system. The provoking issue by this time was that of control. This was settled by the unification of the two state supervisory bodies and thereby the consummation of the "free high school idea" was realized in theory as it had been largely realized in practice during the previous half century.

Summary and Conclusions

1 The earlier use of the term high school in New York was in connection with higher departments of the lower schools and the monitorial schools of secondary grade. Tradition and law fixed the term "academical department of union school" as the common denotation although individual schools, especially in the larger cities, by 1860 adopted the term high school in its generally accepted usage. In 1893 the classification of the public secondary schools into four grades made the term appropriate only in regard to schools of four years of work, with certain restrictions concerning equipment, pupils and teaching staff.

2 Typical early high schools are represented by the Lockport Union School and the New York (City) Free Academy, both established at the opening of the second half century. In general these schools became the models for the other cities and villages of the State and also of the general union free school law. The influence of other states is seen in the rise of these two schools. In the matter of curriculum, the latter followed the Philadelphia Central High School and was soon elevated into college rank while the former as

[59] School Bulletin, 20:197–201.
[60] Regents Rep't, 1895, p. 615–17.
[61] Regents Rep't, 1899, Rep't H. S. Dep't, 1:662–80.
[62] Sup'ts Rep'ts, 1899, p. xv–xvii; 1900, p. 51–53.

also the other early high schools showed little deviation from the academy curriculum of the time.

3 While high schools were always established only through local initiative, under general or special acts, they had the privilege of coming "under the visitation of the Regents," that is, to membership in The University of the State of New York, with the advantage of participation in the distribution of the literature fund and other available funds and also the obligation of obedience to the Regents rules and regulations. Ordinances controlling "admission" had been devised before the beginning of the high school movement and were revised to meet the slightly different status of the high schools. In 1894 there was put into operation a permanent plan of grading or classification of schools into four ranks according to equipment and so forth under the direction of the University inspectors. Schools had the privilege of raising their rank without formal admission.

4 The actual establishment of high school facilities is in most cases not easy to trace as it is to be found in the effort to expand the curriculum or the consolidation of several districts without formal action or simply the growth of an individual school into higher grade. However, the dates of admission into the University are in most cases easy of establishment from the Regents Minutes or Reports and in a large majority of cases coincide very closely with what may be called the establishment of a local high school. In the case of the merger of the common schools with a local academy the date is usually clear-cut. Data on the individual schools show that the high school movement which began about 1850 went steadily forward but that the period of slowest progress was in the years 1875 to 1890 while this was succeeded by a period of phenomenal growth, paralleled throughout the whole country but influenced in New York by increased appropriations and a new policy of expansion and encouragement on the part of the Regents.

5 While in Massachusetts and other states to the east and west of New York the concept of the free high school was generally accepted by the middle of the nineteenth century, in New York State the victory could not be said to be fully won until near the end of the century. Various factors entered in to retard the development of the high school movement as follows: (1) the permissive nature of the union school laws and their early lack of clarity and lack of encouragement to weaker communities; (2) the decentralized condition of the lower schools until Superintendent Draper, a strong

centralizationist, came into the office in 1886, and was able to effect permanent reforms in and extensions of policies of state support and control and also in regard to the training of teachers; (3) the relatively strong hold that the academy maintained upon local educational leaders, upon the Regents and therefore upon state higher educational policy; and (4) the long contest between the Regents and Superintendent for control of the secondary schools, which involved two issues of large import, first, as to whether the academy was or was not a private institution and therefore what its status was as regards state aid, and second, whether the principle of voluntaryism could be relied upon to finance higher education. In the successive chapters are worked out the main lines of development whereby the high schools became welded by the Regents into a highly centralized system within the general state system of public schools.

PART 2

Introduction

In the preceding chapters there has been traced out in some detail the account of the laying of the foundations of the New York State public secondary or high school system. It remains in the chapters that follow to show how the state system developed into its highly centralized form. This discussion is taken up under the three topics, aid, examinations, and inspection.

Previous to 1863 the work of the Regents was so conducted that there was little direct contact of the Board and its officers with the schools. In that year a unanimous resolution was passed to call together the teachers, principals and presidents of the schools within the University. The committee on organization of this body, which from the first was called the University Convocation, in a full statement outlining the purposes, stressed among other matters, the interchange of ideas, the perfecting of the " standards of education " and the harmonious working of the system.[1] The papers read and the discussions provoked made this body a great clearing house for educational thought that had its influence without the State as well as within.[2] An ordinance of 1879 made the Chancellor and the Secretary of the Regents, respectively, presiding officer and secretary of the Convocation. For the first two decades of its existence the body was conservative and its work was directed by a few strong college teachers and academy principals. By 1882 the high school principals and teachers came to take a more active part, and discussion of current educational problems was more generally had.

In 1885 the principals of the secondary schools formed an organization known as the Associated Academic Principals, an offshoot of the Convocation and in time a more active body in working out solutions of state educational problems. It promoted the magazine known as the Academy (1886–92), the first distinctly secondary educational journal in the country. The Regents came to make it a practice to consult the Principals Council on matters of academic syllabus revision, inspection of schools and the like and the council took a large part in obtaining additional financial aid. In other

[1] Hough, op. cit., p. 789–93; also given in introduction to annual proceedings in annual reports of the Regents.

[2] For titles, see Hough, p. 794–834 (1863–83); also Handbook 6, Pt 1, General Dep't Publications, 1891 ff.

words, beginning with 1863 and still more definitely after 1885, until the unification of the Board of Regents with the State Department of Public Instruction in 1904, much of the educational progress of the State in the secondary field was directed by these two voluntary organizations.

Just as A. S. Draper in the office of Superintendent from 1886 to 1892 and again as Commissioner of Education from 1904 to 1913 brought a high degree of centralization and efficiency into the one system, so the name of Melvil Dewey, Secretary of the Board of Regents, is associated with a corresponding development in the secondary field from 1888 to 1899. It was during this period that the Board of Regents became a definite factor in defending and opposing legislation affecting secondary education.

From 1895 on the disposition of the Board of Regents has been to make large use of the conclusions of various state and extra-state educational bodies. Cases in point are the report of the committee of ten of the National Education Association and the annual reports of the Association of Colleges and Preparatory Schools of the Middle States and Maryland, the New York State Science Teachers Association and the College Entrance Examination Board. Similarly the educational practice of other states and the opinion of national leaders in education have gone far to shape recent developments so that on the whole the New York system is being modified through the influence of less highly centralized systems and is tending to lose something of its uniqueness.

Chapter 4

State Aid to High Schools and Its Distribution

Both the University acts of 1784 and 1787 made provision for the Regents to hold funds. The latter stipulated that these were to be applied as the Regents thought "most conducive to the promotion of literature" and that the academies must use them for the purposes for which they were granted.[1] On this slender legal basis there was developed early the practice of granting state aid to the academies and to a lesser degree to the colleges. While our interest is in the matter of state support to high schools, it is essential to trace out the foundations of practice in the academies both with respect to the nature of the funds and the methods of distribution.[2]

1 State Funds and Appropriations

State aid to secondary schools in New York State was of three kinds: (1) special grants, largely of lands, to individual schools, a practice limited to the academies and coming largely to an end by 1826; (2) grants of land and stocks with a small amount of moneys to form what was called the literature fund; and (3) direct appropriations of moneys from the state treasury. For one year a state tax was levied for secondary schools alone.

In 1790 the Board of Regents asked for and obtained permission to sell certain state lands and place the income from the proceeds of the sale at the disposal of the academies.[3] This was the nucleus of the literature fund and the income was assured to the use of the academies, that is secondary schools, by the Constitution of 1846. Later additions were made, the largest in 1813 and 1827, from lotteries, sale of lands, arrears of quitrents and the transfer of canal stock. In 1830 this fund amounted to slightly more than $250,000 and did not in all its history increase greatly beyond this sum.[4] As a consequence the annual income usually varied from $10,000 to $15,000 and the fund had its chief value in keeping alive the tradition of state support to secondary education. In 1832 the administration of the literature fund was transferred from the Regents to the Comptroller,[5] and in 1897 the fund itself was made

[1] Laws of 1784, chap. 51; 1787, chap. 82, especially sec. v.
[2] See chap. 1. For a fuller treatment, see Miller, G. F., op. cit.; cf. Jones, D. R. State Aid to Secondary Schools, p. 77–84, 117–20; also Regents Rep't, 1894, 1:153–165.
[3] Hough, op. cit., p. 80–93. Laws of 1790, chap. 38.
[4] Regents Rep't, 1895, p. 153, gives sum in 1893 as $284,201.30.
[5] Laws of 1832, chap. 8.

a part of the general education fund though its identity was still retained.[6]

The same act which marked the inception of the literature fund provided for the appropriation of 1000 pounds to assist the academies and King's College, until the moneys from the sale of lands were available. This precedent of appropriations as a mode of assistance to the academies was very substantially followed in 1838. In that year $28,000, a part of the income from the United States deposit fund, was added to the meager $12,000 income from the literature fund. For a half century the annual grant remained $40,000. At the outset it was sufficiently large to prove a real incentive to academic development.

Two types of supplementary aid which did increase in amount somewhat relieved the growing need of the secondary schools. From 1834 on limited grants were made for texts, apparatus and models. At the outset the sum distributed was $3000 and constituted the excess revenue above the annually distributed sum of $12,000.[7] This sum was later doubled and individual schools were in each case required to raise equivalent sums before grants were made. In the same year the practice was begun of aiding the academies in their function of preparing teachers for the common schools.[8] By 1853 the sum annually distributed to a limited number of schools, approved by the Board of Regents, was fixed at $18,000 and in 1873 it was raised to $30,000.[9] In the latter year, therefore, the academies and high schools were receiving for various purposes a total of $88,000.

By 1860 the Regents noticed the drain upon the general appropriation because of the growth of high schools and suggested the need of the restriction of the $40,000 to the academies and of the appropriation of a like sum to the high schools.[10] In 1867 the report called attention to the fact that in the thirty years preceding, there had been no increase in the general funds available for distribution although the number of schools had increased threefold and the number of pupils fourfold.[11] In 1872 a committee of the University Convocation enlisted the interests of the secondary

[6] Laws of 1897, chap. 413; revised 1905, chap. 587. See also Regents Rep't, 1898, 1:54-55.
[7] Laws of 1834, chap. 140; cf. Laws of 1863, chap. 48.
[8] Laws of 1834, chap. 241. For a full discussion, see Miller, G. F., op. cit.
[9] Laws of 1853, chap. 402; 1873, chap. 642.
[10] Regents Rep't, 1860, p. 7; cf. Regents Rep't, 1875, p. xiv.
[11] Regents Rep't, 1867, p. xxiii-xxiv.

schools of the State and then made a successful campaign for augmenting the annual appropriation.[12] Upon the failure to obtain the full $200,000 asked for, provision was made for a tax of one-sixteenth mill or such as should yield the equivalent of $125,000.[13] The campaign had been largely waged by the advocates of the declining academy and the appropriation was attacked quite generally but with especial effect by the Superintendent of Public Instruction. The result was that in a year when $300,000 was embezzled from the state treasury and corruption was at its height in both state and city government, no provision was made for the continuance of the appropriation.[14] In 1875 a joint committee of the State Teachers Association and the Convocation sought but failed to obtain the unification of the two education departments and the appropriation of sums of $61,000 each to the use of academies and high schools.[15] Similarly in 1886 a bill for the appropriation of $60,000 failed to secure the approval of a hostile Governor although it seems to have met little opposition in either house.[16]

The first permanent step toward increasing the amount of state aid to secondary schools was, however, taken in the following year when the additional sum of $60,000 was granted, making the total general appropriation $100,000.[17] Of this sum, $12,000 was from the income of the literature fund, $28,000 from the income of the United States deposit fund and the remaining $60,000 was an appropriation from the general funds. This act therefore had the effect of establishing beyond all doubt the principle of a fixed state policy to aid secondary as well as elementary schools from the general funds.

In 1895 the principle of granting a definite quota of $100 to each accredited school was established by law after a long period of agitation by the Board of Regents.[18] And by 1901 the number of schools had grown so considerably that the total of annual available funds was increased from $106,000 to $350,000 exclusive of special appropriations for the expenses of the Board of Regents.[19] As these

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[12] Regents Rep't, 1872, p. 477; 1873, p. 485, 494, 591–600.
[13] Laws of 1872, chap. 541, 736.
[14] Sowers, D., Financial History of the State of New York, p. 19–23.
[15] School Bulletin, 1875, p. 56, 92.
[16] Academy, 1:154, 192, 230; Regents Rep't, 1887, p. 262; see Governor's Message in Senate Documents, 1886, no. 2, p. 22–24.
[17] Laws of 1887, chap. 709. See Rep'ts of Committee of Assoc. Acad. Principals, in Academy, 3:29.
[18] Laws of 1895, chap. 341.
[19] Laws of 1901, chap. 498.

and successive acts took account of the methods of distribution, further discussion is reserved for the following section.

2 *Distribution and Apportionment of the Literature Fund and State Appropriations*

Of little less significance than the amount of state aid are the methods of its distribution. The New York methods in both secondary and elementary education show continuous if interrupted progress and also in general follow similar lines of development. By the end of the century the State had taken its place in the forefront of the various states of the Union in this matter. In the secondary field three general plans of distribution have been used: (1) apportionment according to the number of pupils who met a minimum requirement as to course of study, (2) payment by results measured in terms of examination credentials, and (3) apportionment by quota based on inspection. While these systems overlapped, they parallel in a general way three different methods in the Regents supervision of secondary schools. Before 1865 they depended almost wholly upon reports from the schools. Although these were continued after that date, examinations were then begun and came to be regarded as the best means of supervision and the best basis for distribution of funds. By 1890 inspection was undertaken seriously and with it came a great development in the number of schools and therefore in standards that made the quota method possible and effective. For a discussion of these types of Regents supervision, see chapters 5 and 6. The further fact that institutions must meet certain requirements of equipment, buildings and endowment in order to be admitted to the University has been treated in chapter 3.

Although at the very outset the basis of distribution in practice as well as theory was that of the particular needs of the individual schools, there was soon developed the plan of payment on the basis of the number of pupils reported by the schools. In 1817 the Regents passed an ordinance requiring pupils who were to be counted for the distribution to pursue the branches considered preparatory to college. This practice worked the hardship of not giving recognition to other than classical studies, although it proved a significant means of differentiation between the academies and the common schools.[20] Consequently in 1827 the Legislature provided for extension of the

[20] See chaps. 1 and 3. For history of academic fund with quotations from sources, see Regents Rep't, 1894, 1 :153 ff.

distribution to include both higher English branches and classical branches.[21] The legal definition of the "preliminary studies" for these branches was revised from time to time by the Regents in their instructions and the ruling was made that pupils should be eligible to be counted as classical pupils if pursuing the elementary classical studies and the first book of Virgil.[22] The law of 1827 further laid down the requirement that pupils to be counted must have pursued the required studies for a period of four months, a clause which was not modified until the University Law was completely revised in 1889. However the Regents in 1864 had defined this requirement as meaning 13 full weeks of study,[23] a requirement which fitted well enough the conditions of the first half of the century when pupils went to school for short periods only, but which had become antiquated by the time the high schools began to spring up in any numbers.

From 1827 to 1864 the Regents were unable to conduct such inspection as would provide them directly with information as to whether pupils were meeting the requirements of the laws and ordinances or indeed whether the academies themselves were endeavoring to maintain the required standards. They devised therefore more detailed forms for the annual reports which no doubt gave a fairly true picture of the status of the schools. Reference to table 14 will show that the numbers of pupils claimed for participation in the distribution from year to year from 1850 to 1865 bears an almost constant ratio to the total number of pupils in the schools indicating that, while the school officials apparently were not more prone with time to report falsely, the standard of the secondary schools was not improving generally since the number taking elementary branches was too large. The same table gives evidence of a tendency on the part of the Regents to eliminate an increasingly larger number of those claimed by the principals, the causes commonly cited being "short time" or "insufficient studies." The annual reports of the committee on the distribution of the literature fund are full of evidence that gross carelessness prevailed among the principals in the filling out of the blanks. In January 1866, 1714 pupils were rejected out of 22,157 claimed.

[21] Laws of 1827, chap. 228.
[22] Regents Instructions, 1849, p. 58.
[23] Manual of the Regents, 1864, p. 62.

TABLE 14

Statistics of attendance in secondary schools and of the distribution of academic funds[1]

YEAR	SCHOOLS REPORTING	PUPILS ENROLLED	PUPILS COUNTED	ANNUAL DISTRIBUTION	POPULATION OF STATE
1850	Total.....164	31 580	17 912	40 000	3 097 394
	High schools.... 2	850	524	470	
1855	Total.....165	29 967	18 051	40 000	3 466 212
	High schools.... 8	1 815	1 030	2 239	
1860	Total.....192	36 951	22 235	40 000	3 880 735
	High schools.... 22	6 983	3 153	4 702	
1865	Total.....202	36 133	20 443	40 000	3 831 777
	High schools.... 34	6 573	3 885	6 610	
1870	Total.....195	30 775	6 049	40 000	4 382 759
	High schools.... 73	12 509	2 661	17 222	
1875	Total.....216	30 254	7 577	40 000	4 698 958
	High schools....121	22 110	4 888	25 571	
1880	Total.....240	31 254	8 356	40 000	5 082 871
	High schools....156	19 261	6 536	31 257	
1885	Total.....261	37 043	11 547	40 000	5 540 362
	High schools....191	25 656	8 925	25 189	
1890	Total.....335	49 514	21 511	100 000	5 997 853
	High schools....234	34 514	17 763	.....	

[1] Compiled from Regents Rep'ts, 1851, 1856, 1861, 1866, 1872, 1876, 1881, 1886 and 1891. Complete accuracy can not be claimed for these figures as schools were apt not to report on all items in a given year. However the relative growth of the high school and the relation of the number of schools and of pupils to the funds distributed and to the total population are clearly shown. The annual sums distributed are approximate.

It was with a view to defining the standard of entrance upon secondary instruction after vainly petitioning the Legislature for a change in the requirements,[24] that the Regents instituted the preliminary examinations, in four elementary studies. At the outset about a third of the enrolled pupils at the secondary schools took these tests and the number rated as passing even in the three years before the Regents required the sending of the papers to the office was less than 5000. In 1867 they voted that pupils formerly counted should still be counted and in the distribution of that year 9012 were counted on the basis of the preliminary examinations of that year and 4128 on the basis of former distributions. This total of 13,140 was opposed to 20,443 participating in the previous year and from this point there was steady decline until 1872 when only 5783 pupils shared in the funds, as against 22,685 ten years previously and 22,788 in 1854, the maximum record. Reference again to table 14 will show that there was a decline in the total number so that, while from 1855 to 1865 the average was about 35,000, for the fifteen years following it was about 30,000. By 1885 the number of pupils had risen again to the former figure and about one-third were now regularly

[24] Regents Minutes, 6:306–8; Regents Rep't, 1858, p. 12–13.

counted toward the distribution of the literature fund as against about two-thirds before the establishment of the preliminary examinations.

However by 1880, two years after the establishment of the advanced or academic examinations, and fifteen years after the establishment of the preliminary examinations, the system of payment by results was extended, the Legislature in that year making provision for a portion not to exceed one-fourth of the literature fund to be distributed on the basis of the advanced examinations. In the meantime the ratio per pupil counted in the appropriation which had stood at $5.66 in 1838 and had declined to $1.95 in 1865, had risen to $6.91 in 1872 and declined again to $4.76 in 1880.[25] In three years more the amount granted on examination certificates based on these higher examinations had risen to $10,000 at which point it remained until 1887 when the restriction as to the amount that could be distributed on this basis was removed and the annual apportionment changed from $40,000 to $100,000. In six years the payment for higher certificates usurped most of the fund and the question of the advisability of continuing this form of distribution was seriously raised.

The details of the allowance of a part of the fund for credentials were modified from time to time. In 1880 the value set for the intermediate certificate was $5 and for each of the diplomas, academic and college entrance, was $10.[26] But in 1882, with the transfer of plane geometry to the advanced part of the examination schedule, the intermediate certificate was valued at $4, and the academic diploma and the college entrance diploma, respectively at $10 and $15 each.[27] In case a pupil held the academic, and obtained the college entrance diploma, an additional $5 was granted.

A new impetus was given secondary education in the latter part of this decade, in part through the enlargement of activities of the Board of Regents following the appointment of a new secretary and also in part due to the increase to $100,000 of the annual appropriation in 1887. From an annual sum of approximately $250 a school in 1850 and 1860, there had been a decline to about $200 in 1870 and about $125 in 1880.[28] With this addition the new average

[25] The special one-sixteenth mill tax of 1872–73 had raised the total for that year to approximately $30. See Sup't Rep't, 1873, p. 65, and Regents Special Rep't in Assembly Documents, 1874, no. 78.

[26] Regents Rep't, 1881, p. xvi.

[27] Regents Rep't, 1882, p. 264.

[28] Regents Rep't, 1882, p. xv.

was $300 or very nearly that of 1840. A complete revision of the examination schedule in the year 1890–91 added a number of new subjects and an increase in the number of certificates issued.

On this basis a change was made in the apportionment on credentials. The nature and purpose of the changed system of grants may be seen in the following quotation:[29]

> Schools are allowed $5 for each junior certificate or higher academic credential issued, with $5 extra for the first diploma, and a second $5 extra for the first classical diploma issued to each student. This rule gives a premium for the balanced courses which lead to diplomas instead of certificates, as double payment, $10, is made for academic and English diplomas and triple payment, $15, for classical and classical-scientific diplomas. . . . The school is thus apportioned $5 when the junior certificate is allowed, but not for any other 20-count certificate; $5 more for the 30-count; $5 more for the 40-count; and for 50 counts, $5 if a 50-count certificate is earned; $10 if an English or academic diploma is earned; $15 if a classical diploma is earned.

For the first year under the new system there remained one-half of the fund. This was reduced in the second year to about one-third and in the third year it was practically wiped out. This remainder was distributed on the basis of aggregate daily attendance of academic pupils who now were defined as those holding either the preliminary certificate covering the elementary branches or in lieu of this the 30-count certificate.[30]

By this time opposition was developing to the system of payment by results and there seems to have been doubt of its advantage at times on the part of members of the Board of Regents. In the conference of the Associated Academic Principals in 1889,[31] resolutions were introduced, but not acted upon, favoring (1) the discontinuance of the practice of publishing in the school journals of the state lists of the secondary schools ranked according to the amount of aid received,[32] and (2) a different method for the distribution of the literature fund. In June 1892 there was published in the last number of the Academy, a strong paper presenting this opposition view and claiming that the results of the method were as follows: (1) lowered standards of scholarship due to the pupil's aim being centered in pass cards, (2) an unfortunate system of coaching by principals whose tenure in many cases depended on the

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[29] Regents Rep't, 1892, p. 166–67.
[30] Regents Rep't, 1892, p. 167–68.
[31] Academy, 5:66–69.
[32] See columns of the Academy and School Bulletin, 1885–90.

number of pupils passed and (3) neglect of real teaching and dependence upon the Regents syllabus as a sort of maximum of work.[33]

The crux of the whole matter was to be found in the rapid increase of secondary schools with consequent decrease of moneys received and the great danger of the lack of desirable uniformity in these institutions.[34] The secretary in his annual report for 1893 called attention to these facts and to the need of a new system of apportionment suggesting (1) the assignment of $100 each to the individual schools which maintained a satisfactory academic course and (2) scholarships for carefully selected pupils.[35] During the year there was prepared and sent out to each principal for his criticism a detailed discussion of the various possible methods of apportionment: number of schools, number of teachers, number of pupils enrolled, total days of attendance, results as shown by examinations and scholarships.[36] The advantages and disadvantages of each were stated but the weight of argument favored the last two plans. On the basis of the responses of the principals, the Principals Council drew up a set of working principles of distribution as follows: recognition of the need of the State as a whole and the largest number of citizens rather than of schools, aid to be so apportioned as to give the advantage to progressiveness and to give special opportunity to promising pupils. The report is best seen in the following quotation:

> After deducting for inspection, equipment grants, and $10,000 for aid to the most promising students, it is recommended that the remainder of the academic fund be apportioned on the basis of educational work accomplished as shown in official inspection, sworn reports and regents' examinations.[37]

In April of the following year there was passed the so-called Horton law,[38] which made up deficits and safeguarded their appearance in the future and supplemented the existing appropriation with the annual sum of $100 each to all secondary schools within the University, a sum equivalent to that granted per teacher to the elementary schools for some time.[39]

An oversight intentional or otherwise of the Legislature in 1897,

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[33] Academy, 5:293–97.
[34] See table 14.
[35] Regents Rep't, 1893, p. 144–46; see also resolution of University Convocation, p. 548.
[36] Regents Rep't, 1894, 1:1677–84.
[37] Loc. cit.
[38] Laws of 1895, chap. 341.
[39] Regents Rep't, 1896, 1:132–35, 170 ff.

was followed by a successful lobby of the principals and the money was forthcoming as usual.[40]

The new ordinance based on the law read:

> Besides $100, with one cent for each day's attendance of each academic student, annually granted by law of 1895, ch. 341, to each secondary school in the university, conforming to law and the regents' ordinances, there shall also be granted pursuant to section 26 of the university law $5 for each regular academic certificate or diploma issued and $5 extra for each pupil's first diploma.[41]

It will be seen therefore that in this year by law and ordinance there were established the following principles of great importance for the development of a sound and beneficent fiscal policy: (1) equivalence of reward for all diplomas, classical and otherwise, and thus equivalence of incentive for the pursuance of classical and non-classical studies, and (2) such a distribution of moneys through the annual quota that the need and effort of the poorer localities were clearly recognized. The continuance of the distribution of a portion of the fund on the basis of attendance stilled the opposition for a time to the payment for results plan. In fact at the instance of Secretary Dewey a vote was taken in the University Convocation of 1896 and the plan was favored by two-thirds of those present.[42]

The distribution of over $200,000 in 1898 was made as follows: a little over one-third on credentials, nearly one-fourth on quota, slightly less on attendance and the remainder for books and apparatus.[43]

In the same year an important change was made in the method of apportionment whereby the requirement of a certificate in the preliminary branches in order that a pupil might be counted for the attendance distribution was withdrawn, provided a University inspector ruled that the entrance requirements of the school were above the requirements of the preliminary certificate.[44] This was undoubtedly the outgrowth of the conviction of Secretary Dewey, former State Superintendent Draper, and some of the stronger principals of the State and was in line with the recommendations of President Eliot in 1890 favoring the supplementing of examinations with inspection.[45]

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[40] Regents Rep'ts, 1897, p. 279; 1898, 1:8.
[41] Regents Rep't, 1895, 2:111.
[42] Regents Rep't, 1897, 1:190–92.
[43] Regents Rep't, 1899, Rep't of H. S. Dep't, 1:332.
[44] Op. cit., p. 332–34. See chap. 5 and 6.
[45] Regents Rep't, 1898, Rep't of H. S. Dep't, 1:126–27.

In 1899 the amount granted on credentials approximated 40 per cent,[46] and in March of the next year the Board of Regents voted to increase the grant for each day's attendance from 1 cent to 3 cents after October 1, 1901.[47] No school was, however, to receive any share of the academic fund for books and apparatus unless the aggregate attendance had for two consecutive years amounted to 1000 days.[48] Nevertheless the amount granted on credentials had by 1900 risen to one-half of the annual apportionment,[49] and the revision of the academic syllabus in that year gave the much-desired opportunity to do away with the payment for results system. Probably the practice of other states with highly centralized systems of secondary education, in particular that of Minnesota, was a factor in its elimination.[50]

At the opening of the century therefore, the principles involved in the annual distribution of funds as typified in the act of 1901 were as follows: (1) proportionately greater aid to the weak schools through the uniform $100 quota; (2) the stimulation of local effort in improving library and apparatus facilities through grants up to $250, on condition of similar amounts raised by the communities, and (3) the return to the plan of distribution of the bulk of academic funds on the attendance basis. The examination system with the accompanying syllabuses and graded courses of study had therefore completely lost its function of forming a basis for distribution while inspection on the other hand had become essential to distribution because it determined the status of schools as regards their ability to meet the Regents standards.

In one feature, however, the charge for tuition to nonresident pupils, equalization of opportunity had not yet been effected. In fact it had been felt until late in the previous century that the old academy system had the virtue at least of making no discrimination in this regard. In 1902 it was found that while the smaller villages were well provided with high schools, they enrolled 67 per cent of the total number of nonresident pupils and had one nonresident in every 4 pupils.[51] Recent legislation in Massachusetts and the interest of Governor Odell expressed in a Convocation address, led the Regents to request an appropriation for this purpose and in 1903 an

[46] Regents Rep't, 1900, Rep't of H. S. Dep't, 1:18–9.
[47] Regents Rep't, 1901, p. 209.
[48] Regents Rep't, 1901, p. 148.
[49] Regents Rep't, Rep't of H. S. Dep't, p. 110–13.
[50] Regents Rep't, 1899, Rep't of H. S. Dep't, 1:332–33.
[51] Regents Rep't, 1903, p. 115–16.

act was passed setting aside the sum of $100,000, to be distributed so as to pay up to $20 a year of 8 months the academic tuition of pupils living in communities not maintaining an academic department.[52] The only precedent was an act of 1873 which had failed of fruition because of a failure to make appropriations.[53] Regulations were adopted by the Chancellor of the University and the Superintendent of Public Instruction governing eligibility of pupils and of schools and giving an approved list of the latter.[54]

Sums apportioned to this work were rapidly increased and the requirements made more stringent, particularly in regard to the studies. Of approximately $230,000 so distributed in 1910, the smaller villages of 2000 and under were receiving 60 per cent, so that the weaker schools were again being disproportionately aided. A considerable amount of controversy centered about the fact that this type of aid was refused the academies proper but this was largely discontinued with the unification of the two state departments in 1904. Three significant defects of the method of distribution were remedied in a revision act of 1912:[55] (1) pupils attending more than 8 weeks but less than 32 were given proportionate aid, (2) pupils attending from localities offering less than 4 years of high school instruction were counted if desiring to attend schools of a higher grade and (3) schools charging more than the stipulated $20 were allowed their full fee, the additional sum being charged upon the district from which the pupil came. The law with its amendments proved of great value not only in providing secondary education facilities to large numbers of worthy pupils but in encouraging the school authorities to establish schools of a higher grade.[56]

The last step in the use of state aid to encourage secondary education was the provision in 1913 for a scholarship fund, enabling a limited number of graduates of each county who attained the highest standings to secure scholarship aid in the colleges of the State.[57] It was believed that this would also prove to be a definite means of coordinating the institutions of higher education and of disposing of the constantly recurring question of a State University which should teach as well as direct and control.[58]

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[52] Laws of 1903, chap. 542. An act of 1902, chap. 502, had provided for free tuition to nonresident academic pupils in towns of St Lawrence county accepting the township system.
[53] Laws of 1873, chap. 642.
[54] Regents Rep't, 1904, Rep't of H. S. Dep't, 1:118–32.
[55] Laws of 1912, chap. 276.
[56] Ed. Dep't Rep't, 1907, p. 233.
[57] Laws of 1913, chap. 292, sec. 71.
[58] Ed. Dep't Rep'ts, 1911, p. 333–35; 1912, p. 187–90, 893.

Summary and Conclusions

1 With the establishment of the University, provision was made that the Regents might hold and distribute funds. The first result of this legislation was the creation of a literature fund, the income of which year by year amounted to sums of $10,000 to $15,000 and was distributed among the academies.

2 In 1838 shortly before the high school movement began, a part of the income of New York's share of the United States deposit fund, $28,000, was placed annually at the disposal of the Regents for secondary education and for the next fifty years a total of $40,000 was annually distributed to the University secondary schools.

3 At a time when the high schools equaled the academies in number and attendance of pupils, 1872-73, a legislative enactment for one year only supplemented these funds with about $125,000. In 1887 the total annual appropriation was increased to $100,000 and in 1901 to $300,000 and has been increasing definitely and rapidly since that time.

4 Shortly before the high school movement was under way, aid for two special functions, the training of common school teachers and apparatus and library equipment, began to be given, the former to selected schools, the latter to schools raising equivalent sums up to $250. Both types of aid have been maintained and have been significant factors in high school development.

5 The early method of distribution of state aid had been wholly on the basis of attendance, at first to all pupils, later to all classical pupils meeting certain standards, then to all pupils studying classical and higher English branches, the standard being determined by the Regents ordinances and the law. Finding that the standard of instruction and of entrance to academic work did not improve, the Regents as a means to the more adequate distribution of the state funds, introduced examinations in preacademic and later in academic subjects. During the last third of the nineteenth century these served as the major factor in distribution, the attendance basis not being entirely set aside.

6 In order to equalize the distribution to the rapidly increasing number of smaller high schools, an act was passed in 1895 providing for an annual quota of $100 to each school in addition to the attendance and examination apportionments. At the opening of the century, with the system of state inspection of secondary schools undergoing a marked growth in efficiency, the examination or payment for results plan was dropped.

7 More recently the tuition of nonresident pupils and of graduates of less than four-year high schools has been paid, a beneficent practice in extension of the principle of equalization of opportunity. While scholarships to academic scholars were early advocated, no general fund was set aside but a half decade ago a fund was provided for a limited number of scholarships in New York colleges, for high school graduates meeting the examination standards most fully.

Chapter 5

State Academic Examinations and the High School Course of Study

The New York law never established requirements in regard to the school subjects except as to the recognized elementary subjects, physiology and hygiene, and industrial drawing, which last was limited to larger villages and cities. They did, however, early establish the requirements for entrance upon academic studies.[1] Consequently the power of regulation of the course of study was left largely to the Regents who allowed for a time almost complete freedom to the academies. This resulted in a laxity of standard as to admission into the higher subjects and a tendency for pupils to crowd into them without adequate preparation. The remedy was found in the Regents examinations which were first applied to elementary or "preliminary" subjects in 1865 and to secondary or academic subjects in 1878. The intention at the time was undoubtedly to extend them to all grades of instruction. They came later to be applied to professional subjects but not to academic college subjects.

These examinations soon became the major concern of the Board of Regents and formed until near the close of the century the main point of contact with the academies and high schools. They exercised a controlling influence similar to legal requirements in shaping the curriculums of the schools and there gradually developed a state course of study, outlined in more and more elaborate syllabuses, and revised quinquennially in the latter part of the century. This chapter aims to deal rather fully with the progress of the "examination system" and its significance.

1 *Period of Delegation of the Examining Power to the Academies, 1828–1865*

The University Act of 1787 had empowered the Regents to "examine into the state and system of education and discipline" in the academies which were under their visitation and therefore entitled to share in the state funds.[2] The power to make by-laws for the admission of pupils into the academies was left, however, to the boards of trustees and corresponding powers were granted to the

[1] See chap. 1.
[2] Laws of 1787, chap. 82.

college faculties to examine graduates of the academies who sought admission to their classes. A further section provided, "That to entitle the scholars of any such Academy to the privileges aforesaid, the Trustees thereof shall lay before the Regents of said University, from time to time, the plan or system proposed to be adopted, for the education of the students in each of the said academies, respectively, in order that the same may be revised and examined by the said Regents, and by them altered or amended, or approved and confirmed, as they shall deem proper."

In 1817 the distribution of state funds was made to academies for pupils pursuing subjects "usually deemed necessary as preparatory to the admission of students to well-regulated colleges." Ten years later this requirement which had been irksome to many academies which preferred to teach chiefly other subjects than the classics, was modified by the Legislature, and pupils were allowed to participate in the distribution if they were pursuing "higher English" branches.[3] Neither the law nor the subsequent ordinances of the Regents defined the content of these branches, but both the ordinances and the occasional instructions prescribed in more detail than the law, the requisite "preliminary" studies.[4]

A system of free election of subjects by academic pupils grew up and it became generally known that there were great numbers of pupils in the academies pursuing elementary subjects for a good share of their time and also that many pupils were taking advanced or academic subjects in order that they might be counted for state aid when they had not mastered the fundamentals. Further explanations of the law and the instructions of the Regents which were sent out from time to time failed to secure the desired results.[5] In 1834 the age of pupils participating in the state fund was raised to 10 years and in 1853 it was raised to 12.[6] A further effort was made to safeguard the Regents and the legal standards in 1853, by the requirement that pupils pursuing classical studies must have previously met the requirements of preliminary study formerly definitely required only of English pupils,[7] and an affidavit was required of the principals to that effect.[8] Moreover in the instructions of 1828, 1834 and 1853, the basis of entrance upon higher

[3] Laws of 1827, chap. 228.
[4] Regents Instructions, 1834 and 1853.
[5] Regents Minutes, 6:306–9.
[6] Regents Minutes (MS), 4:12. Regents Instructions, 1853, p. 59, 64.
[7] Regents Instructions, 1853, p. 59, 63–64.
[8] Ibid, p. 77. Cf. Regents Minutes, 6:275–76.

English and, presumably by implication, also, upon classical studies, was to be an examination on the part of the principal.[9]

An interpretation of this requirement in 1856, made it clear that the Regents considered this examination compulsory and that the term "due proficiency" which had been used to describe the necessary degree of attainment for the passing of a pupil should be the equivalent of the requirements for entrance in the same subjects into the colleges of the State.[10] Moreover it was held that the examination should preferably be public before a committee of the trustees as that would tend to influence scholarship. In the following year the report of the committee on the distribution of the literature fund showed that the principals' reports were a constant source of irritation.[11] Principals neither followed specific directions nor reported even under oath the correct items. The chief difficulty was in deciding what pupils in each school were entitled to a share in the distribution and large numbers of pupils, especially from certain schools, were not counted. The committee held that the theory of the educational system, namely that the academies should have a course of study advanced beyond the lower schools, was not carried out and that this theory demanded that admission to the secondary schools be upon examination as in the case of the New York Free Academy and other prominent high schools. They further recommended that the requirements which had been unchanged for thirty years should be revised.

2 The Regents Preliminary Examinations

Previous therefore to 1864, the Regents had maintained a semblance of direct control over the curriculums of the academies through occasional inspections, and more particularly through detailed annual reports, the schedules of which had to be attested by the principals and were expected to give evidence that pupils had pursued the prescribed studies. These studies were either named in or based upon the law of 1827. In the case of the preliminary studies, however, the Regents had supplemented the legal requirement of arithmetic, geography and grammar with reading, writing, composition and declamation. Also in the case of the statutory definition of a classical scholar as one who "shall have advanced as far at least as to have read the first book of the Aeneid of Virgil,"

[9] Regents Instructions, 1834, p. 25–26; 1853, p. 63.
[10] Regents Minutes, 6:274.
[11] Regents Minutes, 6:306–9.

they had in 1828, 1853 and 1864 made considerable change in the way of addition and substitution, due no doubt to changing college entrance requirements.[12] When therefore the need of definite action to save the standard of scholarship in the academies became apparent, it was a logical step to secure this by strengthening the safeguard then in use, namely the principals' examination in the preliminary studies.[13] Accordingly in the report of 1864, Secretary Woolworth urged upon the Legislature the "practicability and expediency of making the distribution (i. e. of the literature fund) . . . depend upon merit as ascertained by competitive and comparative examinations," and asked for an appropriation of $5000.[14] The recommendation was based on the practice in Europe and in a number of the leading cities of the State in which high schools were established.

Failing to secure legislative action, the Regents in the same year revised their ordinances and made the following new requirements:[15]

1 Scholars to be divided into two classes, preparatory and academic.

2 Public examinations in the preliminary branches to be held at the close of each term under the direction of a committee appointed by the trustees of the academy.

3 Success in passing the examination to be rewarded by a certificate of a form prescribed by the Regents, which was to entitle the holder to admission into the academic class.

4 Admission to this class together with the fulfillment of the requirements in the classics and a time requirement to entitle the academy to count such student for a share in the distribution of the state funds.[16]

Before this ordinance was put into effect, numerous requests from principals led the Regents to send out examination questions; a single copy was sent to each school the first year but thereafter sets sufficient to supply all the pupils taking the examination.[17] The examinations were given for the first time in November 1865, and included arithmetic, geography, grammar and spelling. In the University Convocation of 1866 they were made a special topic for discussion, following the report of a committee of investigation appointed by the Chancellor, and from this time on this body was a

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[12] Regents Instructions, 1834, p. 24–25; 1853, p. 62–63; Manual of the Regents, 1864, p. 61–62. A table of the changes in requirements is to be found in Miller, G. F., op. cit.

[13] Regents Rep't, 1866, p. 18; 1868, p. xxxi–iii.

[14] Regents Rep't, 1864, p. 10–22.

[15] Manual of the Regents, 1864, p. 60–62.

[16] See chap. 4.

[17] Regents Rep't 1868, p. xxxii.

significant factor in all the modifications of the system.[18] As a result of experience and the suggestions and criticisms of the next few years, numerous minor changes were made, the most important of which was the requirement that papers claimed as passing should be sent to the Secretary of the University.[19] In 1882 pass cards were first issued in each subject so that a pupil was not required to pass in a subject a second time. From 1868 on, the examinations were made the basis of participation in the literature fund and came into general use. Several of the colleges came to accept the Regents certificates in lieu of their entrance examination in the subjects covered.[20] The questions were published in book form after a period of ten years, were officially recommended for use in reviews and came to be quite generally used for that purpose throughout the State and in many places outside of the State.[21] By a Regents ordinance of 1881,[22] and by an act of 1882,[23] these certificates were made requisite for the holding of a diploma from the teacher-training classes of the academies and union schools. In the latter year the Court of Appeals ruled that prerequisites to law clerkships should include this certificate together with pass cards in certain advanced subjects, namely American and English history, and English composition.[24]

The purposes of the examinations were formally stated in the annual reports of the Regents and the annual circulars sent out in explanation of the privileges and requirements incident to the giving of the examinations:

1 A uniform standard of scholarship in studies declared by the statute to be preliminary to the classics and the higher branches of English education, as a condition of the distribution of the literature fund.

2 More thorough instruction and more exact scholarship in the elementary branches.[25]

3 The effect of the system in elevating the general standard of scholarship in all the public schools; and the substantial value to the pupil of a University certificate as an official testimonial of scholarship.[26]

The annual reports of the Regents indicate that the system was

[18] Regents Rep't, 1867, p. 565–69.
[19] University Manual, 1870, p. 82–83.
[20] Regents Rep't, 1877, p. xii.
[21] The Regents Questions, 1866–1876. See School Bulletin: 3:33, 204; 7:13, 126.
[22] Regents Rep't, 1882, p. xxiii, 261.
[23] Laws of 1882, chap. 318.
[24] Regents Rep't, 1882, p. 274. Cf. Hough, op. cit., p. 844.
[25] Regents Rep't, 1867, p. xxv.
[26] Regents Rep't, 1871, p. 426.

in general favor within a few years of its establishment and had in the main subserved the interests for which it had been devised. Typical statements from the annual reports are the following:

1 The influence on scholarship and in securing a higher estimate of those studies which are essential in preparation for the duties of life, is positive beyond anything ever before experienced.[27]

2 This system of examinations, the most extensive in respect to the number of institutions and scholars participating in it, and the best established of its kind in the country, is steadily growing in favor and influence as an educational agency.[28]

Numerous schools came to make special occasions of the distribution of the certificates and their attainment was much sought after.[29]

When, however, after two years the examinations came to be the sole test for participation in the literature fund and some of the stronger schools had been forbidden the privilege of using their own entrance examinations, which had been earlier established and were no doubt somewhat better adapted to local conditions, as the Regents examinations could not be, opposition arose.[30] It seems probable that the earlier laissez faire régime during which the Regents prescribed but could not enforce the principals' examinations had resulted in almost complete ignoring of the Regents ordinance. Consequently the transition was hard, especially as many schools were quite unable to keep their former rank in the sharing of the state funds. However, as this requirement had been in vogue before the high schools came into existence and they were either under the general or special laws made subject to the Regents ordinances, there was no redress. Among the more significant protests that arose in the early history of the preliminary examinations and the partial or complete answers of the Regents are the following: (1) Injustice was worked upon certain academies which had a large number of one-term winter pupils and extra-state pupils, as these were unwilling to take the examinations and therefore the school's loss in state funds was considerable. The establishment of the academic examinations in 1878 probably made the distribution more equitable. (2) Lack of honesty in conducting the examinations existed while of even more significance was the utter lack of a uniform standard in the grading of papers. In 1870 and thereafter

[27] Regents Rep't, 1874, p. xvii.
[28] Regents Rep't, 1877, p. xii.
[29] Regents Rep'ts, 1877, p. xii; 1878, p. 411–12.
[30] Regents Minutes, 7:291–92, 319.

the papers considered as passing were reviewed at the Regents office. (3) The questions were too difficult and too technical to be a fair test. With experience there was considerable modification which on the whole was more generally favored than was the abolition of the examinations. In 1881 supplementary examinations were given in arithmetic and geography. (4) There were tendencies to cramming and to the concentration of attention upon the four subjects in which examinations were given to the detriment of such subjects as history and composition. The addition of reading and of the academic subjects met the latter difficulty. The question of cramming has always been a constant matter of debate.[31]

3 *Establishment of Advanced or Academic Examinations: Relation to College Entrance Requirements, 1864–1883*

It is evident that the Regents at the time of the establishment of the preliminary examinations had in mind a more comprehensive system including academic and higher examinations.[32] The University Convocation,[33] had taken for its official functions, cooperation in the securing of advanced standards of education and the harmonization of the various parts of the state system.[34] The earlier reports of the annual conferences are replete, as are indeed the contemporaneous reports of the other gatherings of the state's educators, with discussions looking toward the accomplishment of these ends.[35] The establishment of the academic examinations in 1878 may be definitely attributed to the work of this body.

The consideration which led to these examinations was that of college entrance requirements and their lack of uniformity. In the period of rapid growth of higher schools in the second quarter of the century, the Regents had failed to create a clear-cut differentiation between the academies and high schools on one hand and the colleges and universities on the other. The New York Free Academy had from the outset been more truly a college than a secondary school, and this was characteristic of a number of the corporate academies. This fact is evidenced by the parallel nature of the

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[31] Univ. Convoc. Proc. in Regents Rep'ts, 1867, p. 565–69; 1877, p. 572–74. Also School Bulletin, 2:63, 78–79, 86–87; 5:99–100; 7:126, 146–47.

[32] Regents Rep'ts, 1864, p. 19–22; 1868, p. xxii. For a later effort to bring the colleges under a uniform system of examinations for graduation, see the Report of a Joint Committee of Representatives of the Colleges and the Regents, in Assembly Documents, 1877, no. 27.

[33] See Circular to Principals of Academies, in New York Teacher, 12:354–55.

[34] Regents Rep't, 1864, app., p. 3. Proc. of Univ. Convoc. of 1863.

[35] See annual reports of proceedings in the Regents Rep'ts, 1864–85.

secondary school curriculums with those of the colleges of the State and the further fact that from 1795 to 1870, at least six of these schools had actually become colleges. It was charged by the academies that certain colleges admitted students which were not of equal proficiency with the students of the academies.[36] While The University of the State of New York had failed despite vigorous efforts at different times to become a university of instruction,[37] the western states were developing their state universities and bringing the various parts of the state system into a more coordinate whole. Without a state university and without sympathetic relationships between the two state departments of education, it was the opportunity of the Convocation to make the first essay in bringing about a more advanced status of college instruction and a sharper differentiation of the courses of the secondary and higher schools.

Upon the recommendation of a special committee of this body at the third annual session in 1865 after full discussion in both the academy and college sections, there was adopted a suggested program of entrance requirements for the colleges of the State. The list of subjects was as follows:

Mathematics; algebra to equations of the second degree, and plane geometry.

Greek: Xenophon's Anabasis, 3 books; and Homer's Iliad, 1 book with prosody.

Latin: Caesar's Commentaries, 4 books; Virgil's Aeneid, 6 books; Cicero, 6 orations; Sallust's Cataline; Sallust's Jugurthine War or Virgil's Eclogues; Arnold's Latin Prose Composition, 12 chs.

Prerequisites: arithmetic, English grammar, descriptive geography, classical geography, History of the United States, Greek and Roman antiquities.[38]

This recommendation was based closely upon the existing practice, which showed the following status as regards the 15 colleges in the State: 14 required arithmetic and English grammar; 13, Caesar's Commentaries; 11, modern geography, Greek grammar, Virgil, Cicero, Latin grammar and algebra; 10, Anabasis and elementary or United States history; 9, Greek Reader; 8, Latin prose composition.[39] The exceptions are geometry and Greek antiquities which appear but twice, Sallust and Virgil's Eclogues, and the Iliad which was required by six colleges. Moreover the modal amount of subject

[36] Academy, 3:36. Regents Rep't, 1891, 1:456, 459.

[37] Rep't of a Select Committee, Apr. 21, 1857, in Regents Minutes, v. 6, app. 2.

[38] Regents Rep't, 1867, p. 555.

[39] Statistics of Collegiate Education, in Regents Rep't, 1866, p. 180–84. The above is a compilation from this source.

matter was accepted in Cicero, Caesar, algebra, Latin prose composition and Virgil but the amount required by colleges exceeded the recommendations of the Convocation in the Anabasis and the Iliad. There is thus clear evidence of college domination, a natural consequence of the fact that the final recommendations came almost wholly from the college section of the Convocation.[40] An able report presented by an academy principal advocating uniform college entrance requirements under the control of the Regents and additional entrance requirements in natural philosophy, chemistry, rhetoric, geology and plane trigonometry, which were not at the time required by any college of the State, seems not to have been seriously discussed.[41]

A committee report of the following year stated that nine of the stronger colleges were in sympathy with the recommendations, three taking exception only to the plane geometry requirement.[42] At the same session resolutions were unanimously adopted asking the Regents to appoint a committee to consult with the colleges and teachers of the State concerning the appointment of a special board of examiners to conduct college entrance examinations, and to recommend to the Regents the desirability of preparing written examinations in higher English branches and classics for academies that desired such examinations.[43] While nothing came of these recommendations they indicate the trend of thought among the educational leaders of the State. Moreover another issue that was before the minds of the Regents was that of the desirability of a uniform course of study for academies and union schools which should be rewarded with Regents testimonials or certificates.[44]

At the Convocation of 1873 a resolution was passed requesting the Regents to establish higher examinations "as a basis for entrance into college." Again no action was taken and it is probable that the colleges would have maintained exemption from the nature of the law on the subject of admission, which placed that power in the hands of the faculties.[45] In the meantime in 1875, certain of the principals established the Inter-Academic Competitive Examinations

[40] Regents Rep't, 1866, p. 3–4, 7–8, 11.
[41] Regents Rep't, 1866, p. 3.
[42] Regents Rep't, 1867, p. 555–59.
[43] Regents Rep't, 1867, p. 574.
[44] New York Teacher, 12:354–55; Regents Rep't, 1868, p. xxii.
[45] Laws of 1787, chap. 82, sec. xvii. Cf. Regents Rep't, 1891, p. 457.

under the auspices of the Academic Literary Union and prizes were being offered in a number of the secondary school subjects.[46] These were a subject for discussion in the Convocation of 1876 and the argument was advanced that the Regents safeguarded through the preliminary examinations the entrance into the academies but made no provision for incentives to high standards of scholarship within these institutions nor for securing a high degree of merit for the diplomas of these schools.[47] At the same session resolutions similar to those of previous years were passed,[48] and in June 1877, a law was secured empowering the Regents to institute academic and professional examinations and setting aside the sum of $5000 for the conduct of the former.[49] The provision concerning academic examinations runs as follows:

6 The Regents of the University shall establish in the academies and academical departments of union schools, subject to their visitation, examinations in such branches of study as are commonly taught in the same, and shall determine the rules and regulations with which they shall be conducted; said examinations shall be prescribed in such studies, and shall be arranged and conducted in such a manner, as in the judgment of the Regents will furnish a suitable standard of graduation from the said academies and academical departments of union schools, and of admission to the several colleges of the State; and they shall confer such honorary certificates or diplomas as they may deem expedient upon those pupils who satisfactorily pass such examinations.

The above-quoted section is of particular interest because it indicates the large degree of power placed in the Board of Regents and because it recognizes the two functions of the academic examinations, as considered in the discussions of the Convocation: (1) a standard graduation requirement from the secondary schools and (2) a standard admission requirement to the colleges. An act of 1880,[50] crystallized the views of some of the principals and enacted into law a vote of the Regents by providing that a portion of the literature fund might be distributed on the basis of the advanced examinations.[51] The University Act of 1889 renewed the provisions of 1877 and 1880 and set the maximum fee to be charged for each branch at one dollar.[52]

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[46] School Bulletin, 2:3; 4:147; 6:10–12, 157; 7:113, 157, 158.
[47] Regents Rep't, 1877, p. 572–74.
[48] Regents Rep't, 1877, p. 508–9, 515.
[49] Laws of 1877, chap. 425.
[50] Laws of 1880, chap. 514.
[51] School Bulletin, 6:68.
[52] Laws of 1889, chap. 529.

It seems certain that the advanced examinations were established because of the success of the preliminary examinations and the consequent interest of the principals. The first five years of their history was, however, distinctly one of trial and error. There was no precedent in New York or elsewhere for this type of work while the problem was very much more difficult than the testing of elementary work because of the diversified curriculums of the academies. The only statutory requirement concerning secondary studies provided that a classical student should be defined as one who "had advanced as far at least as to have read the first book of the Aeneid of Virgil in Latin."[53] The Regents in their instructions had defined and redefined this until in 1864, they interpreted the classical requirement for one who was to be counted for the distribution, as including the elementary works prior to the classics and the first book of Virgil, or its equivalent in Caesar, Sallust or Cicero.[54] Moreover, as we have seen, the college entrance requirements and the recommendations of 1865 had taken no account of the sciences or modern languages.

In table 15 are seen the changes made in the advanced examinations program in the first five years. The first draft or what was called the "first complete curriculum" was made in 1878. The decision was reached by the Regents after the presentation of a paper and discussion in the University Convocation of 1877.[55] The paper outlined the general scope of the new examinations and suggested seven major groups of study from which any four might be chosen and made the basis of a diploma. It also suggested that the examinations would form a basis for admission to college, a standard for diplomas of equivalent value from the various secondary schools, an incentive to pupils and a means of emphasis of the importance of the fundamental fields of knowledge. With this basis a joint committee of the Convocation and the Regents submitted a program to the Board, and this was put into force in the series of examinations which was offered in the year 1878-79 in four parts.[56] In the latter year the University Convocation took up the matter of revision and decided upon two courses of study, one in English branches, called a

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[53] Laws of 1827, chap. 228.

[54] Regents Manual, 1864, p. 62. Cf. Regents Instructions, 1834, p. 24, and 1853, p. 62. The establishment of the system of examinations practically annulled the force of both the law and the Regents ordinances but they stood without change in 1882.

[55] Regents Rep't, 1878, p. 373-74, 411-17.

[56] Ibid., xiii, 376.

TABLE

Academic examinations

PLAN OF 1878–79 [1]	PLAN OF 1879–80 [4]	
	Intermediate certificate	
Required subjects	*Graduating course*	*College ent. course*
Algebra	Algebra	Algebra
Amer. (and gen.) hist.	Amer. history	Amer. hist.
Chemistry	Physical geog.	Caesar, 2 books
Nat. philosophy	Physiol. & hyg.[5]	Geog., desc. & class. [7]
Physiology	Plane geometry	Greek grammar
Plane geometry	Rhet. & Eng. comp.	Latin grammar
Rhet. & Eng. comp.		Plane geometry
	Academic diploma	*College ent. diploma*
Group I (any 4)	Group I (any 4) [6]	
Bookkeeping	Bookkeeping	Caesar, 2 addit. books
Botany	Botany	Cicero, 6 orations [6]
Geology	Drawing	Latin prose comp.
Mental philosophy	Geology	Sallust, Cataline
Physical astron.	Moral philosophy	Sallust, Jugur. War, or (Virgil, Eclogues)
Physical geog.	Plane trig.	Virgil, Aeneid, 6 books [6]
	Polit. economy	Greek & Roman antiq.[7]
	Science of govt.	Homer, Iliad, 1 book [6]
	Zoology	Xenophon, Anab. 3 bks.[6]
Group II (any 4)	Group II (any 4) [6]	
Drawing (free & mech.)	[2]Astronomy	
English literature	Chemistry	
General history	English literature	
Moral philosophy	General history	
Plane trigonometry	Mental philosophy	
Science of govt.	Natural philosophy	
Zoology	Trig. (complete)	
Substitutes for group II	Substitutes	
French [3]	French [6]	
German	German	
Greek [3]	Greek	
Latin [3]	Latin	

[1] Regents Rep't, 1870, p. xi.

[2] The examination in drawing was chiefly through specimens presented.

[3] The schedule of examinations, June 1878 to June 1879 (see Regents Rep't, 1879, p. xii) provided for an elementary and advanced examination in these subjects.

[4] Regents Rep't, 1880, p. xi–xiii. Revised in conformity to Rep't of Committee of Convocation, 1879 (see Regents Rep't, 1879, p. 484–85).

[5] For physiology and hygiene, for 1 study of group I and 1 study of group II, 1 year's work in foreign language could be substituted and for other courses in groups I and II, advanced language credits.

[6] These subjects were divided into two parts for the examinations which were given in year 1879–80; Regents Rep't, 1880, p. xii–xiii.

15

plans, 1878–83

PLAN OF 1881–82 [8]

Intermediate certificate

Academic course	*College ent. course*
Algebra	Algebra
Amer. hist.	Amer. hist.
Physical geog.	Caesar, 4 books
Physiology & hyg.	Plane geometry
Plane geometry	
Rhet. & Eng. comp.	

Academic diploma	*Coll. ent. diploma* [10]
Group I (any 4)	
Bookkeeping	
Botany	Cicero, 6 orations
Geology	Latin prose comp.
History of Greece	Sallust, Cataline
Moral philosophy	
Polit. economy	Virgil, Eclogues
Science of govt.	Virgil, Aeneid
Zoology	
	Homer, Iliad, 3 books
Group II (any 4)	Xenophon, Anab. 3 bks.
Astronomy	
Chemistry	
Eng. literature	
History of England	
Mental philosophy	
Physics	
Plane trig.	
Roman history	

Substitutes [9]

Caesar (for 3 subjects)
French trans. (for 2 subjects)
German trans. (for 2 subjects)
Virgil, Aeneid (for 2 subjects)
Cicero, Orations (for 1 subject)
Sallust, Cataline (for 1 subject)
Virgil, Eclogues (for 1 subject)

PLAN OF 1882–83 [11]

Intermediate certificate

Academic course	*College ent. course*
Algebra	Algebra
Amer. hist.	Amer. hist.
Physical geog.	Caesar, 4 books
Physiology	
Rhet. & Eng. comp.	

Academic diploma	*Coll. ent. diploma*
Group I (any 4)	
Bookkeeping	
Civil govt.	Cicero, 6 orations
Eng. literature	Latin comp.
History of England	Sallust, Cataline
History of Greece	
History of Rome	Virgil, Eclogues
Mental philosophy	
Moral philosophy	Plane geom. reqd.[12]
Polit. economy	Homer, Iliad, 3 bks.
	Xenophon, Anab. 3 bks.
Group II (any 4) [12]	
Plane geom. reqd.	
Astronomy	
Botany	
Chemistry	
Drawing	
Geology	
Physics	
Plane trig.	
Zoology	

Substitutes [9]

Caesar (for 3 subjects)
French trans. (for 2 subjects)
German trans. (for 2 subjects)
Virgil, Aeneid (for 2 subjects)
Cicero, Orations (for 1 subject)
Sallust, Cataline (for 1 subject)
Virgil, Eclogues (for 1 subject)

[7] Combined in one examination, " Classical geog. and antiquities."

[8] Regents Rep't, 1881, p. 468–69; Instructions of 1881.

[9] Substitutes allowed for all but algebra, American history, geometry and two subjects of group I and two subjects of group II.

[10] Classical geography and antiquities as well as Latin and Greek grammar, included in other examinations, due to labor of preparing papers.

[11] Syllabus of examinations, Dec. 1882, in Regents Rep't, 1882, p. 269–77.

[12] Plane geometry no longer required for intermediate certificate but on recommendation of University Convocation of 1882, placed later in course.

graduating course and one in classics, for college entrance.[57] The recommendations of principals and the test of experience led the Regents to bring about the modified program of examinations of 1881.[58] A still different program was devised the following year which was the product of the Convocation and a special committee and grew out of two able papers which were presented.[59] One of these detailed the history of the examinations and the other summarized the views of about one-third of the principals of the State in answer to a questionnaire. Their answers indicated that while most favored the continuance of the examinations all favored definite modifications.

The division of the curriculum into intermediate and advanced studies and the further differentiation into the academic or graduating, and the college entrance courses were the more striking changes made in the first year (see table 15). Completion of each course gave the pupil a special diploma. Further than this, political economy was added, American and general history were separated, and the subject of trigonometry was divided. In addition a number of changes were made in the grouping of courses. Reference from the college entrance course to the admission requirements recommended in 1865 reveals the fact that these subjects are identical except for minor details within each subject. This course was made required without any options.

We may now turn to the question of the origin of the examination plans and of their change from year to year. The first plan was in the main made up by taking the subjects taught in the largest number of secondary schools reporting. A comparison with the schedule of textbooks given in the last report available at the time shows that all the subjects listed in more than 25 per cent of the schools that were considered secondary in nature were included except Roman antiquities and the principles of teaching [60] (table 16). The former of these subjects could be cared for in the Latin

[57] Regents Rep't, 1880, p. 474, 483–85.
[58] Regents Rep't, 1881, p. 490–97.
[59] Regents Rep'ts, 1882, p. 285–86; 1883, p. 283, 307–37.
[60] Regents Rep'ts, 1877 and following. This summary gives the texts used and not the subjects taught in the various schools, but a comparison with earlier reports where the other practice was in vogue indicates that the numbers parallel each other closely and that no considerable error is made. The numbers slightly exceed the number of academies as a few schools report two books. Nine subjects, taught in less than ten schools each, are omitted from the first column.

examinations and the latter was provided for in the special examination for teachers classes. However, presumably because they were universally taught, two elementary subjects appeared in the list, bookkeeping and geography, the latter as physical geography. Of subjects taught in less than 25 per cent of the schools, drawing and zoology were included. Similarly the seven required subjects in this plan were obtained by taking the highest ten subjects and eliminating the three foreign languages.

TABLE 16

Summary of textbooks in use in the secondary schools[1]

	1865–66	1875–76	1877–78	1881–82	1884–85	
Algebra	222	226	231	240	243	Beginning
					124	Higher
Latin grammar	217	224	218	231	229	Grammar
					94	Lessons
Natural philosophy	201	193	192	204	192	
Physiology & hygiene	150	178	188	179	258	
Bookkeeping	175	174	137	173	192	
Rhetoric	40	164	178	183	249	
Greek grammar	158	155	155	160	107	Grammar
					147	Lessons
German	115	146	160	147	202	
Botany	146	146	147	164	144	
Chemistry	94	145	153	118	156	
U. S. history	157	134	185	197	238	
Astronomy	145	130	133	120	144	
French	184	130	131	84	121	
General history	97	113	122	100	57	
Geometry	185	103	189	213	235	Plane
					83	Solid
Geology	69	94	104	100	129	
Trigonometry	109	93	91	75	61	
Law and government	59	87	106	176	338	
History of literature	32	85	81	110	157	
Princ. of teaching	108	80	81	59	70	
Roman antiquities	62	59	61	.....	.....	
Moral philosophy	68	59	60	20	48	
Surveying	83	50	55	28	18	
Intell. philosophy	82	48	77	15	51	
Mythology	62	46	62	.....	.....	
Anal. geometry	40	37	29	.....	.....	
Natural history	18	33	37	.....	.....	
Criticism	46	30	28	.....	.....	
Logic	39	27	29	.....	.....	
Christianity	46	26	23	.....	.....	
Zoology	16	23	38	48	56	
Natural theology	35	15	10	.....	.....	
Grecian antiquities	33	15	.....	.....	.....	
Meteorology	15	14	11	.....	.....	
Mineralogy	16	14	24	11	5	
Navigation	27	14	5	.....	.....	
Political economy	26	13	29	20	65	
Physical geography	.....	.....	.....	159	218	
Drawing	.....	.....	.....	60	52	
History of Rome	.....	.....	.....	52	80	
History of Greece	.....	.....	.....	50	64	
History of England	.....	.....	.....	40	118	
Cicero's Orations	.....	.....	.....	.....	111	
Xenophon's Anab.	.....	.....	.....	.....	98	
Caesar's Commen.	.....	.....	.....	.....	191	
Homer's Iliad	.....	.....	.....	.....	70	
Sallust's Cataline	.....	.....	.....	.....	58	
Latin comp.	.....	.....	.....	.....	54	
Virgil's Eclogues	.....	.....	.....	.....	51	
Virgil's Aeneid	.....	.....	.....	.....	137	

[1] Compiled from Regents Rep'ts, 1877, p. 453–66; 1879, p. 441–55; 1883, p. 270–73; 1886, p. 676–82. In the last two reports, books were omitted which appeared less than 10 times for a period of 4 years. The order of subjects is that of the greatest frequency for 1875–76, in which year 10 subjects are omitted as the total number of texts was less than 10. In 1882, natural philosophy was called physics, and history of literature, English literature.

In the Regents Report in 1882 occurs the statement that the advanced examinations are intended to "include the subjects usually taught in academies and . . . to form a suitable standard for academic instruction." Comparison of the textbook schedules from year to year (table 16) with the programs of examinations, shows that to no small degree the examinations were shaping the secondary standard. Political economy, as a subject for secondary instruction, was presented as was also drawing in the Convocation of 1879, and the former was placed in and retained in the course, although taught in less than 25 per cent of the schools.[61] Similarly zoology, mental philosophy and moral philosophy have failed to become at all generally taught but are retained. Natural philosophy, later called physics, having been placed in the elective group lost in numbers of schools taught while physical geography appeared in the list and was taught in more than one-half of the schools. Also the subjects history of Rome, history of Greece and history of England appeared simultaneously in the examination schedules and the academy curriculums, about one-fifth of the schools introducing these courses in two years. Many other shifts in the relative place of subjects may be noted by reference to table 16. Nothing is more interesting and suggestive as proving the influence of the examinations than that while there are 16 subjects, largely scientific in nature, each taught in more than ten of the reporting secondary schools in 1876 which were not included in the examination schedule, but two such subjects remained in 1882 despite the fact that the number of schools reporting had increased nearly 20 per cent.

The changes made in the examinations in the classical and modern foreign languages are of particular interest. After a trial of one year of dividing all but the German into elementary and advanced subjects for examination purposes, the following year saw a change into nearly a score of subdivisions of these branches. This entailed so much labor that the subject examination plan was adopted in 1881.[62] At this time also Sallust's Jugurthine War was dropped, and the Grecian and Roman antiquities and classical geography were combined with other branches. Caesar was given as a whole in the intermediate course and Homer's Iliad according to common college practice was raised from one to three books. Moreover more weight was given to the languages in the academic course so that a pupil could elect to take that diploma with strictly classical work. The

[61] Regents Rep't, 1880, p. 547–52, 618–33.
[62] Regents Rep't, 1880, p. xi–xiii.

justice of the increased weight lay in the fact that the classics took much more time than the science courses which in most cases were taught from the Steele's fourteen weeks' series. The intention, however, seemed to have been to place a premium upon classical subjects as the classical or college entrance diploma was rewarded with a larger sum of money from the literature fund, and which as a special incentive was printed in Latin. The intermediate certificate was retained but plane geometry, though still required, was made a part of the more advanced curriculum. The Regents preliminary certificate remained a prerequisite for higher certificates but the requirement was removed that it must be obtained before entrance upon the study for higher certificates.

A paper read at the Convocation of 1878 presented a favorable report on the adoption of a uniform admission requirement but the discussion revealed the fact that sentiment was by no means unanimous.[63] While the college entrance course continued for some time to parallel closely the requirements of the colleges, the next decade saw but one-fourth of the colleges announcing the acceptance of the Regents pass cards or diplomas in lieu of entrance examinations.[64] In table 17 may be seen the status of college entrance requirements in New York colleges during the period under discussion. In most instances the data represent the classical or literary course. Of 27 subjects not listed in the table and occurring in three schools or less, 16 are in the field of the classics. Of the remainder, physics, natural philosophy, civil government and drawing appear but once each while rhetoric and physiology appear three times each. In the report of 1877, but six colleges report the scientific course leading to the B.S. degree while in 1883 the number has increased to eight.[65] However the entrance requirements were the same except for one school omitting Latin and Green, two omitting Greek and one omitting the Greek and most of the Latin. As to the divergence of the entrance requirements in 1880 from the plans of 1865 and 1870, it may be seen that only Sallust's Jugurthine War and Virgil's Eclogues have quite lost their place and that there is some decline in

[63] Regents Rep't, 1879, p. 577–79.

[64] See Regents Rep't, 1882, p. 261; the statement is made that most colleges accept the Regents certificates in part or in whole. The Secretary (Regents Rep't, 1892, app. 4, p. 401–2) a decade later held that most colleges accepted these credentials although not all printed this fact in their catalogs. An unchallenged statement was made in the University Convocation of 1894 (see Regents Rep't, 1895, 1:326) that all the colleges of the State but one were accepting Regents diplomas.

[65] See Regents Rep't, 1877, ff. for annual reports of colleges.

the generality of the Greek requirement, three women's colleges permitting French to be substituted. It was undoubtedly the change in college practice that made the algebra requirement "through quadratics" in the examinations plans as opposed to the program of 1865.

TABLE 17

Entrance requirements in New York colleges, 1880 [1]

SUBJECTS	COLLEGES [2]																				
	a	*b*	*c*	*d*	*e*	*f*	*g*	*h*	*i*	*j*	*k*	*l*	*m*	*n*	*o*	*p*	*q*	*r*	*s*	*t*	*u*	*v*
Latin grammar	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Latin prose composition	x	x	x	x	x	x		x		x	x		x	x			x	x		x	x	
Caesar, Commentaries	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			x	x	x
Cicero, Orations	x	x	x	x	x	x		x	x	x	x		x		x		x			x	x	
Virgil, Aeneid	x	x	x	x	x	x		x	x	x	x		x		x		x			x	x	x
Virgil, Eclogues		x		x	x								x	x	x		x			x		
Sallust, Cataline		x	x	x					x		x		x					x				x
Greek grammar	x	x	x	x	x	x	x	x	[3]	x	x			x	[3]	x	x	x		[3]	x	x
Greek prose composition	x			x						x				x			x					
Xenophon, Anabasis	x	x	x	x	x	x	x	x	[3]	x	x						x				x	
Homer, Iliad	x	x	x	x	x	x		x		x	x				[3]		x			[3]	x	
Ancient geography	x	x	x	x																	x	
Arithmetic	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Algebra	x	x	[4]	[4]	x	x		x	[4]	x	x	x	x		[4]	x	[4]	[4]		[4]	x	
Plane geometry	x	x	x	x	x	x		x	x	x	x		x	x	x	x	x	x		x	x	
English grammar	x	x	x	x	x	x	x		x	x	x	x		x	x	x	x	x		x	x	x
Composition				x				x						x				x				
Geography	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
History of the U. S.			x		x	x	x	x	x	x	x	x			x	x		x	x	x	x	

[1] Regents Rep't, 1883, p. x–xiv. Checked by less complete reports of 1877 and intervening years, and showing very few changes during the period under discussion.

[2] Key is as follows: *a*, Columbia; *b*, Union; *c*, Hamilton; *d*, Hobart; *e*, New York University; *f*, Madison; *g*, St John's; *h*, Rochester; *i*, Elmira; *j*, St Lawrence; *k*, Alfred; *l*, Ingham; *m*, St Stephen's; *n*, St Francis Xavier; *o*, Vassar; *p*, Manhattan; *q*, Cornell; *r*, College of the City of New York; *s*, Rutgers; *t*, Wells; *u*, Syracuse; *v*, St Bonaventure's.

[3] German or French might be substituted in these three colleges for women.

[4] Quadratics included in the requirement of seven colleges.

In 1880 the first syllabus was prepared and furnished to the secondary schools. It covered 28 pages and included 36 branches of study and attempted to "define the extent to which the examinations will be carried in each branch and to furnish some suggestions as to the best method of pursuing the study."[66] In the preliminary statement or foreword it was held that the chief purpose of the examinations was as a means to the just distribution of the literature fund, but that great advantages were evident in the elevation of standards of scholarship and study. The necessity of written academic examinations was brought about because of the inability of the Regents in practice to supervise personally the principals' examinations. "The chief difficulty in the administration of the system has been the lack of uniformity in the courses of study, in the textbooks used and in the methods of instruction." However, many subjects could not be included, and three reasons were given; the diversity of

[66] Regents Rep't, 1881, p. xvii, 462–97.

methods, the lack of any common standard of treatment and the difficulty in some subjects of testing by means of written examinations. Among these subjects were Spanish and Italian, phonography, gymnastics and agriculture. It was hoped that the schools would continue to "give instruction in whatever additional studies their peculiar circumstances demand." The further suggestion was made that the subjects given in the examination program should not be crowded into too brief compass but arranged in a systematic course.

The revised syllabus of 1882 had for its most distinct contribution four suggested schedules for schools using the advanced examinations.[67] The classical course was arranged on a four-year plan and the graduating or academic course on a three-year plan, with three differentiations to suit the desires of those who wished to give respectively a mathematical, scientific or classical emphasis. These were later incorporated in the Regents Manuals and also often copied in the school catalogs as the curriculums of the schools.

In conclusion it is seen that by 1882 when the advanced examinations had been in use for 5 years and the preliminary examinations for 17 years, the system had become well intrenched and had passed from the experimental stage. Coming in at a time when prizes and rewards of merit were very commonly given, it received criticism largely for features that could be and were eliminated by the test of experience. The secondary schools were given an opportunity to find their place in the educational system much more completely, the preliminary examinations enabling them to differentiate the secondary course of study from the elementary, and the advanced examinations with the prepared syllabuses having a similar function, and one of only slightly less importance, in putting a stop to unwise competition with the colleges at a time when the latter were undergoing rapid adjustments and extending their curriculums and courses of study. There came about a degree of fixity in the formerly fluid and unstandardized secondary curriculum, a condition which had been encouraged by the fact that state aid could be had in the past for any high-sounding subject which seemed not to be elementary in nature. In general, the practice of the better schools, academies and high schools alike, was made the norm for all secondary schools in the University.

[67] See Regents Rep't, 1882, p. 261–77. The report gives a brief interpretative statement but not the syllabus proper.

4 *Revision of 1890*

Except for the addition and division of subjects,[68] and for the revaluation of the substitutions of the classics, no sweeping changes were made until 1891 when the practice of quinquennial revisions was begun. The half decade preceding was characterized by vigorous discussions of the examinations in the conferences of the University Convocation and the Associated Academic Principals. The problem of chief concern was that of preparing academic pupils for the nonclassical college courses. In 1887 the Associated Academic Principals appointed a committee to confer with the colleges and obtain suggestions as to the possibility of uniform entrance requirements. Responses largely favorable came from only eight of the colleges and the committee was not continued.[69] A second committee was appointed in 1889, this time representative of the University, the colleges and the principals, and in the following year is presented a report.[70] The net result of the committee's work, of the suggestions of over one-half of the principals in reply to a questionnaire and of the discussions of the conference of 1889 was the indorsement of a new diploma. The old academic diploma was to be called the English diploma and to be modified only by the addition of certain subjects in advanced mathematics and science. In the classical diploma, substitution of Greek composition for plane geometry was to be made, and the substitution values of the various Latin subjects were to be changed. The new or modern diploma was to give special attention to the modern languages, the neglect of which resulted, according to the view of the colleges, in pupils being unfitted for the entrance into the newer and scientific courses.

When, however, the Regents devised a complete new arrangement of courses and credits which has become the basis of the present system, little or no attention seems to have been paid to this plan. In the new program which was adopted only after "Proof under Revision" had been sent to the principals for criticism twice,[71] and discussed fully in the Associated Academic Principals Conferences of 1890 and 1891, the number of subjects was greatly increased and a new system of weighting of subjects in terms of counts

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[68] Regents Rep't, 1804, 1:164. To the 15 academic subjects of 1879, there were the following additions: 1 in 1881, 3 in 1883, 2 in 1885, 1 in 1889, 16 in 1890, and 10 in 1892.

[69] Academy, 4:27–33, 37–40.

[70] Academy, 5:14–21, 72.

[71] Regents Rep'ts, 1891, 1:241–49, 291–94, 402–31; 1892, p. 159–75, 271–78, 282–88, 307–9; 1893, p. 307–11. Academy, 6:40–41, 43.

was adopted. The count was interpreted as representing 10 weeks' work in a course which a pupil pursued parallel with two other studies and in which he recited five times a week.[72] The whole number of branches in the nine groups of studies was increased to 68 and the counts were distributed as follows: ten were given 4 counts each; two, 3 counts each; forty-four, 2 counts each and twelve, 1 count each, or a total of 146 counts. The precedent for this system of evaluation was to be found in the earlier practice of allowing language credentials to be substituted for more than single credentials in other subjects. Table 18 indicates the range of subjects, the extent of subdivision into branches and the weighting in the revision of 1890 as against that in 1888 and 1895.

TABLE 18

Weighting of subjects in Regents examinations, 1888, 1890, 1895[73]

SUBJECTS	1888		1890		1895	
	BRANCHES	WEIGHTING	BRANCHES	COUNTS	BRANCHES	COUNTS
English	5	5	16	32	17	36
German	1	2	3	12	3	12
French	1	2	3	12	3	12
Latin	6	9	8	15	9	26
Greek	2	4	4	9	5	18
Mathematics	6	6	7	17	7	16
Science	8	8	10	20	10	20
Hist. & soc. sci.	7	7	9	16	10	18
Others	4	4	8	13	7	12
Totals	40	47	68	146	71	170

The leadership of Cornell among the New York colleges and the offering of scientific courses in a number of the colleges naturally led to the largely increased values given to natural science and mathematics. The greatest development, however, took place in the English studies. Rhetoric and literature were broken up into two branches each and courses were added as follows: elementary English, advanced English, English reading and six reading courses. The Regents definitely sought to change the emphasis from technical grammar and rhetoric to reading and to popularize the subject.[74]

[72] Regents Rep't, 1892, p. 160.

[73] Manual of the University, 1888, p. 72; Regents Rep'ts, 1892, p. 160; 1895, II, p. 438. In 1888 and 1890 the preliminary branches are included.

[74] School Rev., 1:229, 232.

There was also among the principals and college faculties a general feeling that much more attention should be paid to the subject both in its practical and cultural phases.[75]

The values of the old certificates and diplomas were modified to a greater or less extent and new ones were added. These changes may be seen in table 19.[76]

TABLE 19

Required counts for each type of certificate, 1890

CERTIFICATES	TOTAL COUNTS	LANGUAGE		MATHEMATICS	SCIENCE	HISTORY	OTHER STUDIES
		English	Foreign				
Preliminary	14	8	.....	4	.....	2	.....
Medical students[1]	16	6	.....	4	2	4	.....
Law students	19	2	4	7	.....	6	.....
Junior	20	8	.....	4	2	4	2
Middle { English	30	8	.....	8	6	6	2
Middle { Classical	30	10	6	8	2	4	.....
Senior { English	40	10	.....	11	6	10	3
Senior { Classical	40	10	10	11	2	5	2
Academic diploma[2]	50	20	.....	6	6	6	.....
English diploma	50	14	.....	11	10	10	5
Classical diploma	50	10	21	11	2	6	.....
Classical-scientific diploma[3]	80	16	19	14	12	12	5

[1] This and the law students certificate are introductory to professional degrees.
[2] This diploma, unlike the others, allowed a considerable freedom in election. The requirements were the 14 counts in the preliminary subjects, 6 counts each in the language group, the mathematics group, and the science group and 6 from the groups remaining. It could be taken in such a way that if 12 or more counts were earned in one subject, the name would be attached, as Latin academic, or if 6 were elected in each of two subjects, a similarly appropriate name, as Latin-scientific. In every case 10 of the 12 counts must be in advance of the preliminary studies. The 20 units listed under English were really to be taken from the language group as a whole and the 6 under history from history and other studies.
[3] This diploma prepared for entrance into advanced classes in the State Normal College at Albany.

Other features of the new system may be noted here. Additional subjects might be had in the examinations, if the request were general enough and in the first year, 1890-91, fifteen such subjects were included.[77] Pass cards continued to be issued and without restriction as to the sequence of subjects.[78] However, in contrast to this apparent policy of laissez faire in the matter of sequence in studies, two programs were suggested, one for the classical and one for the English diploma. Each covered three years and was arranged in quarters so as to accommodate the giving of 36 counts, additional to the 14 counts in preliminary subjects.[79] A study of these programs

[75] Academy, 5:43; Regents Rep'ts, 1891, 1:232, 379–402; 1892, p. 308–9.
[76] Regents Rep't, 1892, p. 162–66. An evident error in the case of the English requirement in senior English certificate is corrected.
[77] Regents Rep't, 1891, 1:215.
[78] Ibid.
[79] Regents Rep't, 1892, p. 169–70.

as well as of the requirements for the various certificates clearly indicates that the Regents were utilizing the better organized courses of study of the larger high schools and the recently developed courses of study of the colleges much more than at the outset.[80]

Syllabus. Brief summaries or outlines of the major topics of each of the studies in which the Regents examinations were held were made in 1880 and 1882. The intention had been to offer a guide to method as well as subject matter, and the statements appear to have been the result of the queries and suggestions of principals and teachers. A more extended treatment was given in 1888, and the new branches of that year were added.[81] The next syllabus is dated April 1891 and followed the rather radical changes described in the preceding section.[82] Sixty-two separate subjects with sixty-nine branches, thirty-four of which were required for the English or classical diplomas, were treated. The amount of detail varied from a statement in two lines concerning Virgil's Eclogues to a 50-page statement with illustrations in drawing and form-study which the Board had decided to require for the junior certificate.[83] A relatively large amount of attention was given to the sciences. History followed in amount of space given and then mathematics, and then English and the foreign languages. In at least two cases credit was given to individual principals who helped in the revision. In fact the Associated Academic Principals Conference became a determining factor in the whole matter of organization and administration of the examinations.[84] The following quotation is perhaps the best statement that can be made concerning the intended functioning of the syllabus:

> The detailed syllabus which is given below has been prepared with the view of indicating more definitely the scope and character of the examinations in the several subjects. It is hoped that in this way the diversity in preparation which tends to arise from the use of different text-books, and from the different methods of instruction may be obviated. It is not the design to interfere with that freedom and flexibility which ought to exist in a system of instruction so extended as that conducted in the academies of the state; but only to specify, with such exactness as may be practicable, the subjects and the extent in each subject from which the candidates in these examinations will be held responsible . . . It will be expected . . . that the instruction in the various subjects of examination will be kept up with the advance made in them. The deficiencies of particular text-books must not

[80] Regents Rep't, 1892, p. 182, 163 (footnote), 291–93.
[81] Regents Rep't, 1892, app. I, p. 1.
[82] Regents Bulletin, no. 5, April 1891, in Regents Rep't, 1892, app. I, p. 1–158.
[83] Regents Rep't, 1893, p. 347–49, 549–51.
[84] Regents Rep't, 1895, 1:792.

be pleaded in extenuation of inadequate knowledge, but must be supplemented by the enterprise of the teacher.[85]

The nature and scope of the suggestions made may be seen best by illustration with some of the subjects of study.

English language and literature. The objects of these courses were defined as skill in oral and written expression of thought and the cultivation of a taste for good reading. The supplementary statement, however, is made and borne out in the later pages of detailed treatment that the courses in literature and rhetoric were planned to make the pupil familiar with literary criticism and to enable him to pass upon the merits of the great masterpieces. In the examination in reading and to a large extent in writing the principals were allowed a free hand. Spelling was to be tested by a prepared list of 100 words. In elementary English the general statement that the course should be made practical and include composition work, dictation etc., was followed by a list of subordinate topics: general topics (largely grammatical), prefixes and suffixes, stems, practical exercises. Advanced English followed the same general lines but was also to include an outline of the history of the English language. English composition and rhetoric were similarly graded to each other, both treating of the general principles of the sentence, paragraph and theme. In the case of rhetoric three pages were devoted to qualities of style, figures of speech, kinds of discourse, versification and poetry. The courses in American and English literature were outlined in even more detail and had three general features, the study of lives and works of authors, reading of certain listed works of a large number of writers, and the detailed study of certain prescribed classics for each year.

Other subjects. German and French only were divided into courses to cover three years. In physiology and hygiene, fifteen topics were given of which all had to do with physiology except two, emergencies and diseases. General history for the first time in the syllabus was outlined in detail under three heads, ancient, medieval and modern. Civics, which took the place of civil government, was divided into principles and forms of government, national government, state governments and laws relating to American citizens. Economics, which took the place of political economy, included definitions, production, distribution and exchange. In stenography the divisions of the subject for the three separate counts were to be made on the ability to write 50, 75 or 100 words a minute and to transcribe these in longhand or on the typewriter.

[85] Regents Rep't, 1893, p. 7–8.

5 *Revision of 1895*

The next revision of the examination program and syllabus came in 1895. It followed therefore the report of the Committee of Ten of the National Education Association and was adopted only after full consideration of that report.[86] Principal Robinson of the Albany High School, one of the two secondary school men on the committee, was a leader in the conferences and also caused to be published in the School Review an extensive correspondence between himself and Dr Charles Eliot, chairman of the committee.[87] In the discussions and correspondence objection was made to the following actual or implied features of the committee's report: (1) the idea that preparation for college necessarily constituted also the best preparation for life; (2) the lack of comparative evaluation of the various subjects of study; (3) the lack of any place given to drawing, music, political economy and manual training and an undue emphasis on mathematics and language; (4) the limitation in the proposed schedules to 15 hours of recitation a week while many schools required a larger number.

The revision did not bind the schools closely to the program of the Committee of Ten. In fact little change was made in the position of subjects in the earlier suggested schedules. An exception was made in the case of English composition which was changed from the last to the first year. A careful and detailed explanation was made of the divergence from the recommendations in the order of subjects in the schedules.[88] Physiology was to be given in the first year because it was required by law of all pupils and on account of the importance of hygiene. The history of the United States was to be given in the first year because contrary to the anticipation of the committee it was not ordinarily required for entrance. Physics was given in the third year so that mathematics could precede and chemistry follow.

This so-called fourth revision of the syllabus did, however, give opportunity for a rather thorough working over of all phases of the examination system. Among the more significant changes were the following:

1 The number of diplomas was reduced to one, the academic, and

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[86] Regents Rep'ts, 1893, p. 531–40; 1895, 1:272–333, 397–99, 703–11, 721.

[87] School Rev., 2:366–72. This magazine was in a sense the successor to the Academy and was during this period the best clearing house for the discussions of problems regarding the New York secondary schools.

[88] Regents Rep't, 1895, 2:273–77.

consequently the premium of $5 for the classical diploma was discontinued.

2 The counts for various subjects were increased or decreased to suit their supposed importance or difficulty.

3 A four-year high school course was planned instead of the three-year course of the preceding syllabuses and the basis of the year's work was increased from 10 to 12 counts.

4 One of the four annual examinations was dropped and the schools were urged to consider the possibility of only two instead of three.

5 United States history, physiology and drawing were absolutely specified for the first year certificate.

6 A three-year English course was mapped out and English made a requirement to the extent of one-sixth of the total amount of each year of high school work.

7 Emphasis was thrown on the longer and more continuous courses favoring treatment of a less superficial kind.

8 Psychology (mental science) and ethics (moral science) were dropped and home science added.[89]

The policy of the Regents during the interval since the last revision had been to obtain the best thought of the principals and letters were sent out in 1892 and following years, inquiring as to the length and difficulty of the examinations and affording opportunity for complaints or recommendations. This established a growingly more favorable attitude of the teachers and principals and the growth of the numbers taking the examinations was more rapid relatively than that of the numbers of academic pupils. It was held also that small schools sought admittance to the University for the advantage of the examinations. Vigorous discussions continued to be held before the various state meetings, this topic consuming a disproportionate amount of attention. The annual reports of the Regents discussed at some length the value of the system, reviewing discussions in the current educational literature of this and foreign countries and answering in detail objections that continued to be raised against the narrowing tendencies of the examinations. As early as 1889 the work of conducting and reviewing the examinations made necessary the creation of a separate department and in 1895, with the thirtieth annual report concerning examinations, a complete volume of 800 pages was given to this topic.

Just as the preceding revision had done most in effecting a standardization of subjects by means of the count system, the present

[89] Regents Rep't, 1895, 2:16–112, 265–67, 273–74; Regents Rep't, H. S. Dep't, 1:5–7.

revision gave a substantial impetus to the development of systematic four-year courses. The center of interest was in the courses in English which had grown so numerous and varied that the premium had been placed on short and unrelated courses. Little stress had been placed upon the subject in the early plans, but after a period of nearly two decades the colleges were coming to set definite and increased requirements.

The Convocation of 1895 considered as its major topic the question "What do the colleges want of the secondary schools?" and devoted the time to English, mathematics, sciences, Latin, Greek and modern languages.[90] The Association of Colleges and Preparatory Schools of the Middle States and Maryland appointed a committee to inquire into the status of English teaching. The report stated that the great lack was that of "unity of effort and harmony of method in teaching."[91] An English inspector was appointed in 1896, and in December of that year a questionnaire was sent out to ascertain what the colleges of the State were requiring for entrance. The results showed a great variety of practice and the report brought the matter home to the minds of all by the quotation of sample sets of examination papers of the various colleges.[92] A canvass of the secondary school teachers showed them about equally divided between two major aims of teaching English, (1) habits of good oral and written expression and (2) taste for and acquaintance with good literature.[93]

In the January 1893 number of the School Review there had appeared a paper by Professor Hart of Cornell on the "Regents diplomas and school certificates in English." On the basis of a study of the poorest 32 students in a freshman class of 179, he argued that the admission of pupils by certificate or Regents credentials in English should be abolished. He held that the tendency was to give cram courses and that many schools lacked a specific plan for English. As a result of the paper and the growing interest in the matter, a small conference of secondary and college teachers was held in the same year,[94] and the Convocation gave a full afternoon to the discussion of a three-year course in English and voted favorably upon it.[95] In the meantime the Cornell faculty

[90] Regents Rep't, 1895, 1:787–829.
[91] Ibid., p. 788.
[92] Regents Rep't, 1897, Rep't of Exam. Dep't, p. 532 ff.
[93] Ibid., p. 536.
[94] School Rev., 1:296–300.
[95] Regents Rep't, 1894, p. 411–50.

voted not to accept students on school certificates and the Regents a few days later adopted the following resolution:

That the Regents require satisfactory teaching of the English language, especially in composition, for at least 3 hours each week during the academic course, as a condition of admission to the University or of retention on the list of institutions in good standing and entitled to receive apportionment from the academic fund.[96]

As interpreted by the Regents, this meant three periods of 40 minutes each or four of 30 minutes in work in composition and literature, reading, writing, rhetoricals etc.[97] The Regents at the same time voted to ask the principals to consider the advisability of making legible and accurate English a necessity for pass cards and certificates and also for a special inspector in English.

The most definite reform in the English program for 1895 was therefore the establishment of a permissive three-year course in English in addition to the other fifteen separate branches.[98] This course was determined in part by the curriculums of the stronger New York high schools and in part by the efforts of different state and national associations to create a graded and unified course in English. Its subject matter included rhetoric, composition and literary classics. The problem continued to be a major topic of discussion at state educational gatherings and the field was unorganized, "an undiscovered country."[99] In 1898 a study was made of the opinions of the principals as regards the advantages of the new arrangement over the old and the few replies received showed that there were real gains educationally, although the time element was greater and this made teachers loath to try it out.[1]

A brief review of the general movement toward uniform college entrance requirements which attracted so much attention in the first quinquennial of the century is in place here, when it is remembered that the New York academic examinations had largely grown out of this conception. By 1896 it was practically the sole topic for discussion at the various conferences on secondary and higher education in New England and elsewhere. In February of that year representatives from Cornell, Pennsylvania, Columbia, Princeton, Yale and Harvard met at New York at the call of President Seth Low. Detailed recommendations were made concerning Greek,

[96] School Rev., 1:195, 232. The Cornell faculty then voted to accept the Regents requisites in English; see School Rev., 2:36.
[97] School Rev., 1:226, 233.
[98] Regents Rep't, 1895, 2:291–94.
[99] Regents Rep't, 1898, 1:12–37, 281–84.
[1] Regents Rep't, 1899, p. 15, 365; Rep't H. S. Dep't, 1:350.

Latin, history, mathematics and natural science.[2] In the same year a more representative committee was appointed by the National Education Association with the following purpose: "To investigate entrance requirements and to report on ways and means of securing such uniformity in extent and method as will be conducive to the best interests of both higher and secondary education."[3] The committee's report is a mine of information as to the existing practice in the leading colleges of the country.[4]

In New York State the problem took concrete form in a controversy about the change of policy in Cornell, which after the opening of the century was to give but one, instead of five degrees, namely the A.B. Resolutions were tabled in the 1896 meeting of the Associated Academic Principals both favoring and opposing this action.[5] In a long discussion defending the change President Schurman held that any study as well as the classics could give real discipline and that a student's time should be distributed among the various fields of learning.[6] The counter argument was to the effect that the A.B. had always stood for classical subjects and that the change meant a definite lowering of standard.[7]

Neither the Academic Principals nor the Regents were able to work out a program to which the colleges could agree.[8] All recognized more fully than hitherto the interests of secondary schools and the fact that the high school could serve its local constituency better, if given freedom from restrictions looking toward uniformity. In a discussion of the elective system in the Convocation of 1898, President Eliot and Dean Butler held that the tendency in New York even more than elsewhere was to allow interest in an established course of study and a uniform curriculum to overshadow the problem of the needs of adolescent children for a practical education.[9]

A further specific indication of the influence of the revised examination requirements was the extension of time of various courses so that, for example, the typical physics or chemistry course covered 40 weeks as opposed to 12 or 13, the course in United States history,

[2] Ibid., p. 419, 460, 535–38.
[3] Proceedings of N. E. A., 1896, p. 558–59.
[4] School Rev., 4:341–460.
[5] Regents Rep't, 1898, 1:12–13, 185–90.
[6] Ibid., p. 64–78.
[7] Ibid., p. 103–8.
[8] The former voted to ask the Association of Colleges and Preparatory Schools to consider the question of uniform college entrance requirements; Regents Rep't, 1895, 1:612.
[9] Regents Rep't, 1899, 1:218–50.

similarly, while Caesar and geometry were raised to 40 as opposed to 20 weeks.[10] Furthermore on account of the increased attention to correcting the defects of English, the Regents were enabled so to revise their ordinances as to withhold full credit, when papers were deficient in English. As a general view of the efficacy of the system, may be quoted the statement of Doctor Harris, then United States Commissioner of Education:

> The Regents have proved that a state examining board can exercise a stimulating, elevating and unifying influence upon hundreds of institutions of secondary education scattered over a large state, and can wield that power with machinery which, considering the scale of operations, may fairly be called simple and inexpensive.[11]

6 *Revision of 1900*

The revision of 1900 was little less significant than that of 1895 except that the changes on the whole were somewhat less radical. An unusually large part was taken by the Associated Academic Principals and the contribution of various state and national associations of teachers was more specifically used than hitherto.

A committee of the principals was appointed in 1895 and began work in 1898. During that year two letters were sent out to the principals of the State relative to revision. Numerous suggestions were sent in by scattering replies but these did not indicate any definite agreement or unanimity of opinion.[12] With this beginning the committee decided that any changes should be recommended only after full discussion in the meetings of the whole body. In a preliminary report the committee held that too many subjects were being pursued by secondary pupils, that they were insufficiently correlated and that the classical course was regarded as preparing for college but that the general course led nowhere.[13] An advanced position was taken in the expression of the view that any good four-year course should prepare for college and that, if it did not, the college was at fault.

In 1898 a new committee was appointed consisting of two of the three members of the former committee and five others and undertook the specific task of preparing and recommending parallel courses of study, academic, commercial, manual training, and domestic science as well as mapping out a program for history and

[10] Regents Rep't, 1897, 1:150–51.
[11] Ibid., p. 173.
[12] Regents Rep't, 1899, Rep't H. S. Dep't, p. 367–68.
[13] Ibid., p. 369–74, 789–96.

science.[14] A letter was sent out in November of the same year asking the schools to report on what they considered ideal courses and what were their actual courses of study. Out of 108 schools reporting the results were as follows: 2 reported an actual and 9 an ideal general course; 71 reported an actual and 14 an ideal classical course; 81, an actual and 13 an ideal Latin-scientific course; 31, an actual and 8 an ideal modern language course; 57, an actual and 8 an ideal English course. Sixty-seven different subjects or branches of subjects appeared in the actual classical course, 68 in the actual Latin-scientific course and 67 in the actual English course. A comparable study of the entrance requirements of 25 colleges showed, as was to be expected, a less wide range as follows: 40 subjects or branches in the classical course, 42 in the Latin-scientific, 45 in the scientific course and 41 in the English course.[15]

Partial reports of the committee were made to the Associated Academic Principals in 1898, and to the Convocation in 1898 and 1899. The final report was printed in December 1899 and became the basis of detailed discussion in the meeting of the former body in that year.[16] Its recommendations were taken up separately and voted upon. They were so closely followed in the final revised syllabus that an analysis here is unnecessary. It should be noted, however, that the result is clearly a product of the discussion of the bodies of teachers and principals of the secondary schools and colleges and yet was representative of the University in its effort to work out the programs desired by that body and in the inclusion of one of the inspectors in the membership of the committee. Special committees reported on business subjects, English, mathematics, science and history.[17] In general their reports were accepted by the committee on revision. The history committee secured the postponement of this matter until 1905. Of especial interest were the recommendations of the committee for courses or working programs of studies for each of four years of the high school course and for specific courses of study, the liberal, including ancient language, modern language, and combined ancient and modern language courses, the professional, including courses preparatory to law, medicine and teaching, and the technical, including courses in manual training, commercial and home science.[18] The Regents took

[14] Ibid., p. 374–75, 404–15.
[15] Ibid. p. 376–79, 416–22.
[16] Printed in full in Regents Rep't, 1900, Rep't H. S. Dep't, 1:128–32. For discussion, see p. 439–64.
[17] Ibid., p. 338–439.
[18] Regents Rep't, 1900, Rep't H. S. Dep't, p. 132–42.

no action in this matter probably because the step was too much in advance of the status of the great majority of secondary schools.

The new syllabus which went into effect in August 1900 differed essentially from earlier syllabuses in the following respects:

1 The much-debated system of payment for results was abandoned.

2 Fourteen subjects and branches were dropped or combined with others.

3 The work in English and history was reorganized and more carefully graded, six of the seventeen branches in English being eliminated.

4 New laboratory courses were planned in physics, chemistry, botany and zoology, the courses and notebooks to be certified by the inspectors.

5 A syllabus was prepared for state business certificates including nine new subjects, and one in manual training with home science with four new subjects.[19]

A discussion of the more pertinent of these matters follows, namely, the reorganization in English, history and science.

We have seen that the revision of 1895 had provided for the permissive adoption of a systematic three-year English course, based on a very general feeling that the courses in English were of peculiar importance and were also peculiarly unrelated in most courses of study. We also saw that the agitation for reform grew out of the long-standing problem of college entrance requirements. As early as 1893, at its first meeting the Association of College and Preparatory Schools of the Middle States and Maryland had appointed a committee which had for its purpose the consideration of uniform entrance requirements in English, and which began in the following year a series of conferences on this matter.[20] These conferences resulted in the adoption of lists of literary classics for reading and for study, which might be the basis of entrance examinations. The adoptions were in terms of each academic year but were made for some years ahead. After the first meeting other associations of New England and the North Central States sent delegates. At the spring meeting in 1897 in a definite effort to get representative views concerning the teaching of English and especially concerning college entrance requirements, three New York State inspectors met with the association. At the spring meeting in 1899 the University was represented by one of its inspectors as delegate.

When therefore the 1900 syllabus was published, these reading

[19] Regents Rep't, 1901, p. 11 and Rep't H. S. Dep't, 1:8–12.
[20] Regents Rep't, 1899, Rep't H. S. Dep't, 1:840–55.

and study lists were set with but one slight change in each, and were indicated for use in 1900–1, 1901–2 and 1902–3 for the subject of English reading.[21] This subject had been announced in 1895 as an appropriate fourth year study following the graded three-year course. In 1900, however, the option was still left of this four-year course or a more or less parallel series of studies as follows: rhetoric, composition, English and American selections, advanced English, advanced English composition and the history of literature.[22] As indicative of the purpose of this revision of the subject of English reading, and of the common practice in New York high schools to allow pupils to work up these classics outside of class, the following statement was made:

> The texts for study call for close instruction in the study of literature. The text should be explored both in its large factors and for the full thought of each sentence. All enrichment by figure and allusion should be considered. All peculiarities in form and expression, whether characteristic of the individual or of the age, should be noted.

In history less had been accomplished. The special committee on this subject, under one of the inspection staff as chairman, took as its starting point the graded course of the Committee of Seven of the American Historical Association which presupposed elementary United States history in the grades.[23] The committee suggested and secured, against the recommendations of the general committee on revision, the postponement until 1905 of the placement of this subject in the preacademic list. The subject of history as a whole was found by the committee as far as the offering in New York schools to have less recitation time than any of the languages, science or mathematics. The tendency was believed to be more or less prevalent to read up and cram the courses for examinations. The net results of the work of the committee and the consequent revised syllabus were the development of a more balanced course somewhat comparable with those that had been developed in English, mathematics and Latin; the division of United States history into elementary and advanced courses; and the omission of the courses in general, French, and New York history.

Perhaps the most interesting and progressive changes were made in the scientific subjects. In 1896 the first meeting was held of the New York State Science Teachers Association, as an offshoot of

[21] Regents Rep't, 1901, Rep't H. S. Dep't, p. 48–49; for discussion, see Regents Rep't 1900, Rep't H. S. Dep't, 1:338–68, 449–50.
[22] Regents Rep't, 1901, Rep't H. S. Dep't, p. 49–54.
[23] Regents Rep't, 1900. Rep't H. S. Dep't, 1:369–94, 441–49, 459–62.

the department of natural science instruction of the National Education Association held in Buffalo in that year.[24] The first two sessions considered the general values and aims of science and such problems as the laboratory, organization of courses and the requirements for college entrance. At the third meeting in 1898 there was appointed a committee of nine which was broken up into subcommittees. Reports of these subcommittees, which practically amounted to syllabuses, were made in the subjects of biology, botany, earth science and physics. The discussion centered largely in biology, zoology and chemistry.[25] The next session, that of 1899, was held in part conjointly with that of the Associated Academic Principals, and the science committee of the latter reviewed the suggestions for laboratory work of the committee of nine as well as similar suggestions from other bodies. A questionnaire sent out to the principals supplemented these data with opinions as to the appropriate sciences for the high school course, their order of sequence and the proper time allotment.[26]

The syllabus therefore was the joint result of these various sources of information. Outlines for physics and physical geography were based definitely upon the work of the committee of the State Science Teachers Association, forming the most definite illustration of a growing tendency on the part of the Regents to go outside of their body and the two long-standing bodies of teachers of the higher schools for guidance in professional matters. Of the greatest significance was the provision for the approval of laboratory courses by the inspectors and for the counting of notebook work to the extent of 20 credits toward the examination upon the certification of the inspectors. In the new manual training syllabus a similar practice was allowed, shopwork and home science being accredited on the certificate of the principal with the approval of a University inspector in lieu of an examination.[27] This marked at once the avowal of the Board to change the emphasis to laboratory rather than textbook work in the sciences and to extend the function of inspection to include part of that formerly assigned to the examinations.

The requirement by the Regents of laboratory work as a condition to credit in the natural sciences did not meet with complete favor on

[24] Regents Rep't, 1899, Rep't H. S. Dep't, 1:621–31.
[25] Regents Rep't, 1899, p. 447–621.
[26] Regents Rep't, 1900, Rep't H. S. Dep't, p. 418–39, 456–59, especially p. 432
[27] Regents Rep't 1901, Rep't H. S. Dep't, 1:229–84.

the part of many principals, especially those of the smaller schools, used to obtaining credits under the former plan, and now, as they thought, lacking the time, place and money to meet the new demands. The Associated Academic Principals in 1801 took the matter under discussion with particular reference to physics and chemistry.[28] The statement frequently made that the laboratory requirements would drive physics out of the state schools was answered by Inspector Cobb with the statement that no apparent elimination had come about. The arguments presented were largely favorable to the change, indicating a wholesome prospect that the movement was not made in advance of general opinion in the matter. Exhibits of apparatus in physics and chemistry were made and much was accomplished in the way of bringing about cooperation on the part of the secondary schools, the colleges and the Regents working through their inspectors. For the first time in the history of secondary education in New York the sciences were placed upon something of an equivalent as regards the rigidity of courses and definiteness of state requirements. Moreover the secondary schools could be said to be in advance of the entrance requirements in science in most of the colleges of the State.

It was expected that the new requirements and the rapidly decreasing value of the appropriations, due to the increase of numbers of pupils and particularly accelerated by the additions of the high schools of New York City, would cause a falling off of the numbers taking the examinations. In addition (see table 20) the percentage of pupils who were allowed out of the number claimed by the principals had fallen below that of any year since 1888, due to increased rigor in the standards of the readers in the examinations department. The gain was, however, steady and even relatively exceptional in the years 1901 and 1902. Table 20 also indicates the very interesting growth in the numbers of schools taking the examinations, and percentage of papers both claimed and allowed of pupils writing the examinations.

[28] Regents Rep't, 1902, Rep't H. S. Dep't, 1:364–83, 439–54.

TABLE 20

Statistics of academic examinations, 1889 to 1905[29]

YEAR	SCHOOLS TAKING EXAMS.	PAPERS WRITTEN	PAPERS CLAIMED	PAPERS ALLOWED	PER CENT OF PAPERS CLAIMED	PER CENT OF PAPERS ALLOWED	PER CENT CLAIMED PAPERS ALLOWED
1889	304	193 197	107 149	99 079	55	51	92
1892	357	278 907	176 516	155 869	63	56	88
1893	393	302 471	185 677	165 676	61	55	89
1894	417	357 908	238 319	211 533	67	59	89
1895	467	388 945	259 932	231 231	67	59	89
1896	517	396 760	256 599	224 403	64	56	87
1897	557	421 588	268 953	239 071	64	57	89
1898	608	446 837	303 361	271 999	68	61	90
1899	639	481 482	333 970	296 994	69	62	89
1900	672	511 020	374 392	345 117	73	68	92
1901	699	538 833	411 039	353 939	70	66	86
1902	726	558 301	438 047	382 855	78	69	87
1903	730	539 241	418 230	358 015	78	66	86

7 *Recent Developments in the Examination System*

Subsequent to 1900 there have been two general revisions of the examinations, in 1905 and 1910. In the latter year it was decided that in the future, revisions would be made by sections where there was definite need.[30] As a result, at the usual time for revision in 1913-14, the subjects of drawing and music were made a matter of careful study and reorganization by special committees of experts, and special syllabuses and requirements were worked out. The discussion following makes no attempt to treat fully the development of the last fifteen years but rather to indicate the general tendencies.

Perhaps the most important change during this period was an administrative one, the creation of a State Examinations Board. This was the third step historically. At first the whole burden had fallen upon the Secretary. In 1889, a separate examinations department was established because of the volume of work and number of people required to prepare the questions and read the papers. This new board of twenty members had equal representation from the State Education Department, college teachers, secondary school teachers and elementary school teachers.[31] The committee worked through a large number of subcommittees in the preparation of the examination questions and acted to some extent as a reviewing com-

[29] Regents Rep'ts, 1901, Rep't H. S. Dep't, 1:r19; 1902, Rep't H. S. Dep't, 1:r13; 1903, Rep't H. S. Dep't, 1:r20–21; 1904, Rep't H. S. Dep't 1:r40. Statistics of earlier and later years are not given because the changes in methods make them incomparable with these figures.

[30] Ed. Dep't Rep't, 1915, p. 254.

[31] Ed. Dep't Rep't, 1907, p. 236.

mittee. In 1907 a committee of seven, including the three Assistant Commissioners of Education, was appointed to revise the examination questions.[32] The first examination under the board was held in June 1907. It seems safe to conclude from the results of the next decade that the time was ripe for this step and that the work of the board has very definitely increased the effectiveness of the system and its adjustment through the work of the special committees to the secondary school needs. At times perhaps the requirements are set too high but this readily happens under any system.

It will be remembered that one of the problems that gave rise to the establishment of the examinations was that of the adjustment of the secondary schools and colleges and that it was hoped that the college entrance diploma would be generally accepted within the State. Had not the college course at about this time undergone great differentiation, this hope might have been realized. As it was, some colleges accepted the diploma and more accepted pass cards in certain subjects.

At its thirteenth annual conference in 1899, the Association of Colleges of the Middle States and Maryland took under consideration the question of the lack of uniformity among the requirements of the various colleges,[33] and as a result the College Entrance Examination Board was instituted as an offshoot of the association. Within a year twelve colleges, six of them located in New York, accepted the plan of joint college entrance examinations. It was believed that the secondary schools would profit in two respects: a standard of graduation would be set and cooperation with the colleges would be possible to the extent that uniform preparation could be made. This latter would save much time and energy as against the former need of duplication of subjects in the secondary schools.[34]

The interest of the Board of Regents and its staff was definitely given to these examinations. It was even suggested that the Regents examinations could be utilized for the purpose.[35] It was later hoped that some plan of cooperation might be worked out between the State Education Department and the College Entrance Examination Board.[36] In this way economy of time, labor and expense could be had. Nothing came of this scheme although the State

[32] Ed. Dep't Rep't, 1908, p. 256.
[33] Regents Rep't, 1901, p. 43 ff.
[34] Regents Rep'ts, 1902, p. 51–52; 1904; Rep't H. S. Dep't, p. 338.
[35] Regents Rep'ts, 1901, p. 87; 1903, p. 116–21.
[36] Ed Dep't Rep't, 1906, p. 471–74.

Examinations Board voted in 1907 to accept the ratings of the College Entrance Board in lieu of all or part of the state credentials.[37]

Simultaneously the Board of Regents at the suggestion of the State Examinations Board adopted a new college entrance diploma in lieu of the old classical diploma and divided it into two departments, science and arts.[38] This step was an outgrowth of a conference of the colleges and the Department of Education in 1906,[39] and resulted in a large majority of the colleges of the State and a number of extrastate colleges accepting the Regents admission credenials for college entrance.[40] In 1914 the State Examinations Board recommended three college entrance diplomas, leading to courses in arts, science and engineering.[41] The Regents accepted this plan and prescribed for each course required preferential and elective subjects totalling 70 counts. This plan is far more comprehensive and adjustable than any earlier one and is likely to make for closer cooperation of the secondary and higher schools.

Turning now to the syllabus or state secondary course of study, certain features are outstanding; a tendency to utilize more widely the conclusions of various voluntary associations and the effort to encourage longer and better organized courses.

In mathematics, the reports of committees of the American Mathematical Society and the Society for the Promotion of Engineering and committee reports of the National Education Association were utilized. In the various natural sciences, the State Science Teachers and certain national organizations had prepared syllabuses which were accepted with only slight modifications. The history syllabus was built rather definitely upon the work of the American Historical Association.[42] In the case of other subjects, and indeed in all, some of the best experts in the State were called in to assist.

Earlier syllabuses had been accompanied by suggestive three-year and four-year courses of study. However, the great development of the number of courses and the application of the count system in 1890, had tended to militate against systematic organized courses and to stimulate pupils taking a large number of unrelated

[37] Ed. Dep't Rep't, 1908, p. 256. Accepted in 1914; see Ed. Dep't Rep't, 1915, p. 288.
[38] Ed. Dep't Rep't, 1908, p. 237–39.
[39] Ed. Dep't Rep't, 1907, p. 295–96.
[40] Ed. Dep't Rep't, 1909, p. 255. Cf. 1910, 1:257.
[41] Ed. Dep't Rep'ts, 1914, p. 169–70; 1915, p. 285–88.
[42] Ed. Dep't Rep'ts, 1907, p. 26–247; 1910, 3:39, 50, 63, 73, 143, 148, 152, 169, 171, 442.

short courses. Each of the late syllabuses aimed in one way or another to correct the evil. Nevertheless it was stated in the annual report of 1907 that comparatively little had been accomplished.[43] Of all pupils taking the examinations in 1903–4, the work of two-thirds was founded on the short courses of the syllabus. A more definite effort was therefore made in the general revision of 1905 to encourage longer courses and the more important changes made were as follows: half-year courses except three in biology were abolished, the six short English courses were dropped, the English course was extended to four years and an additional year was added to each of three modern foreign languages.

The syllabus has continued to be viewed more broadly and, it is to be hoped, followed more wisely.[44] The interpretation in connection with the revision of 1910 was to the effect that its purpose was that of a "concise statement of a scheme of study prepared to indicate the general scope and character of the instruction to be given by the teachers and the work to be done by the students."[45] The great attention given to the reorganization of the secondary school curriculum in the last few years can not as yet be said to have gone far enough to offer material for use by the Education Department, but if one may judge from past history, it will be used when it is available.

Of peculiar interest are the changes made in the preacademic field.[46] The syllabus has been revised to provide for a six-year elementary or preacademic course of study for the elementary school and a supplementary course for the seventh and eighth grades. It is not unlikely that this may result in a plan calculated to encourage the junior high school movement.[47] The subjects have been so extended as to include elementary English, geography and elementary United States history with civics. Grade examinations which had been established under the Superintendent of Public Instruction as well as the preacademic or preliminary examinations are now so definitely questioned that it seems probable that they will be discontinued in the near future.[48]

The tendency to leave the reading of papers to the principals and teachers of the school has entered the secondary field. Since 1918

[43] Ed. Dep't Rep't, 1907, p. 259–61.
[44] Ed. Dep't Rep't, 1908, p. 450, 451.
[45] Ed. Dep't Rep't, 1910, p. 426.
[46] Ed. Dep't Rep'ts, 1906, p. 11; 1910, 1:6–7.
[47] Ed. Dep't Rep't, 1914, p. 204–5.
[48] Ed. Dep't Rep'ts, 1913, p. 308; 1914, p. 90–96.

this principle has cooperated with another, that of examining pupils only in the last one or two years of a three-year or four-year course in a subject, which together have lightened the work of the State Department and tended to throw the emphasis less upon examinations. It has come to be felt that a Regents diploma is now given on the basis not only of examinations but also of inspection and reports.

It is not yet possible to predict whether in the near future the academic examinations will play a larger or smaller part in the administration of secondary education. The more recent annual reports indicate a broad attitude regarding them and a clear recognition of the inadequacies and dangers of the system. In 1913 with reference especially to preacademic examinations, the statement was made:

> Our almost insatiable desire for examinations in the State makes us overlook at times the very right of the victim of them. The inertia of a state system once inaugurated is colossal, and it is infinitely harder to discontinue an outworn policy than it is to begin a wholly new movement.[49]

The more common view is expressed in the annual report for 1914:

> It yearly becomes more and more evident that our system of academic examinations, thoroughly established as it is in our educational scheme, will serve increasingly useful ends only in so far as it emphasizes the undesirability of absolute uniformity and of arbitrary procedure and recognizes by a more elastic administration the varying local needs of differently organized schools. Effort is constantly being made to guard against the dangers of the purely mechanical processes inherent in any public examination system and to characterize the operation of our own system by its elasticity and adaptability rather than by its mere mechanical uniformity and formality.[50]

In this connection it is interesting to note that the intimate connection at the outset of the examinations with the distribution of academic funds which was broken between 1900 and 1906 was reestablished in that year by a vote of the Regents so that schools sharing in the $100 quota and in apportionments for equipment and nonresident tuition must take the state academic examinations.[51]

In concluding this review of recent tendencies, it may be well to show something of the comprehensiveness of the system. Examinations now include the following: grade, preliminary, academic,

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[49] Ed. Dep't Rep't, 1913, p. 309.
[50] Ed. Dep't Rep't, 1914, p. 154.
[51] Ed. Dep't Rep't, 1907, p. 235. Cf. Ed. Dep't Rep't, 1903, p. 231 ff.

academic for professional students, teachers and professional examinations. The number of questions annually prepared runs up to approximately 1000. Thirty readers alone are required in English branches and large numbers of part-time readers are used during the summer months. In 1913–14, over 800,000 papers were written. Moreover in academic examinations alone, nearly 1000 schools are concerned.

Summary and Conclusions

1 Until 1864, the Regents supervision of the courses of study in the secondary schools was principally limited to the annual reports of the schools. The requirement for entrance upon academic studies as legally established had been modified from time to time and instructions sent out explaining the changes. It was evident, however, that principals were lax or dishonest in the counting of pupils and rejections had to be made in increasing number.

2 With a view to establishing a more adequate and impersonal basis for the distribution of the academic fund, examination questions were issued in four elementary subjects in 1865. Not only was the line thereby clearly drawn between elementary and academic pupils and aid more justly distributed but a new and powerful machinery of state administration of secondary schools was set in motion.

3 In 1878–79 the first examinations were given in secondary subjects and within the next five years a state secondary course of study was comparatively well organized and interpreted in a syllabus or explanatory statement regarding the use of the examinations.

4 The syllabus has been revised from time to time, quinquennially from 1890 to 1910, and elaborated into a very comprehensive outline of materials and methods in secondary and elementary subjects. More recently these revisions have been made only in such subjects as are in need of revision. The utilization in recent years of the best thought of state and national educational associations has greatly increased the comprehensiveness and value of the syllabuses.

5 The problem of better adjustment of the secondary school and the college has from 1865 to the present been most carefully considered. Through the larger part of the period two diplomas were offered, the academic or general and the college entrance or classical. The development of college curriculums along scientific lines caused the Regents solution to become outworn, and the work of such bodies as the College Entrance Examination Board, applicable to schools and colleges without as well as within the State, has made

the problem less vital. More recently, however, three college entrance diplomas have been devised, in arts, science and engineering, and most New York colleges and some others accept these.

6 The examinations served as a means for the partial or total distribution of academic funds until 1900. The criticism of this method of payment for results and the general criticism of the examinations in this period caused their elimination from the distribution. In 1906, however, the requirement was made that schools receiving the various types of aid must hold the examinations.

7 The establishment of a system of counts, or units of credit, for the various branches of study in 1890 tended at once to standardize the quantity and quality of work in the studies, but also to place a premium upon short and unrelated courses. By the gradual encouragement of courses of study, in English first and later in other branches, which involved three or four years of work, and later by the removal from the examinations list of most of the short courses, this evil has largely been eliminated.

8 Opinion within the State has always been more or less divided as to the value of the examinations in themselves. The frequent revisions have corrected many defects and prevented a certain amount of undue standardization. More recently the practice of acceptance by the State Department of the ratings of the high schools in the more elementary courses promises a decrease in emphasis upon the specific preparation for examinations in the schools. In addition there are abundant indications that the work of the state supervisors is cooperating to make of the examinations a supplementary method rather than the only method of determining the standing of schools in the matter of adequacy of courses of study and methods of instruction.

Chapter 6

Reporting and Inspection

The evident intention of the legislation which gave rise to the University and the system of academies, namely the act of 1787, was to provide for regular inspection of the schools, as a basis for the annual report to the Legislature. The first report in 1788 was largely the record of visits to the two academies then in existence and gave information as to finance, number of pupils, course of study and student morale.[1] As no funds were provided for the purpose, and schools were rapidly established in parts of the State difficult of access, the Regents came to depend almost wholly upon the reports of the schools both for data for distributing state funds and for compiling the annual reports. During the first one hundred years of the history of the University, "visitation" was therefore made only occasionally and was not an effective instrument of control. During the last decade of the nineteenth century systematic inspection was begun and has so rapidly developed as to become one of, if not the greatest, means to efficacious distribution of funds and adequate direction of the work of instruction in the several schools.

1 *Reporting and Inspection, 1790–1890*

The University Act of 1787 referred in three different sections to the Regents relation to the academies and colleges as a board of visitation: (1) visitations were to be made by the officers or a committee of the Regents as "often as they see proper," (2) inspection was to include an examination of the curriculum and administration of the schools, and (3) admission to the University or incorporation was designated as making an institution "subject to the visitation of the Regents."[2] Visits were made from time to time, probably a few every year, but with the rapid increase of academies in the early part of the next century and their extension over a territory that was not traversed by good lines of communication, the substitute for personal inspection was found in annual reports to the Regents.[3] Printed blanks for these were first made out in 1804 and the returns were made the basis of more detailed reports from year

[1] Regents Rep't, 1883, p. 444.
[2] Laws of 1787, chap. 82, sec. 3, 12 and 16.
[3] Regents Rep't. 1856, p. 18. Cf. Ordinance of 1794, in Hough p. 409–10. Also Assembly Documents, 1859, no. 45.

to year.[4] The Regents Report of 1825 indicates, however, that inspection was not wholly discontinued for it states that "most of the academies of this State have been visited by individual members of the Board" while full reports were also received.[5] In the revision of their ordinances in 1828 after the Legislature had extended the amount of annual aid, had caused the higher English branches to be included in the distribution and had prescribed the general nature of the reports,[6] the Regents prescribed a more detailed form of report. Because of the constant tendency to omissions and errors and the failure of the principals either to make the required affidavits or to secure the sanction of the trustees, subsequent revisions were made in 1830, 1845 and 1853.[7]

The status of the reporting requirement at the time of the entrance of the first high schools into the University is best seen in the ordinance of the year 1853 in which appear twenty-five items, including among others, property of various kinds, departments of instruction, subjects studied and texts used, tuition charges, revenues and expenditures. High schools were either specifically or generally placed under the rules of the Regents as regards reports, as in all other matters, although this requirement held strictly only in educational and not in financial matters.[8] While the Regents Manuals of 1864 and 1870 show a great development in the requirements in the number of details required, little change was or could well be brought about in the general content, for the early requirements were very comprehensive. It was through these individual reports that the Regents were largely enabled to prepare the elaborate reports which, though required by the Legislature, went far beyond the requirement and by 1850 had become substantial volumes, only to continue increasing in size and detail of information so that before the close of the century they were often published in three volumes. Their distribution to the reporting academies must have had a very satisfactory influence by affording opportunity for comparative study.[9]

Meanwhile the Board did not wholly neglect the duty of inspection, although funds for that purpose were largely lacking. In the Minutes for 1830 we find a resolution to the effect that an ordinance be passed providing the appointment of "competent persons to visit

[4] Hough, op. cit., p. 70.
[5] Senate Jour., 1825, p. 380.
[6] Laws of 1827, chap. 228. Cf. Revised Statutes, 1829, pt 1, chap. 15, art. 1. title 1, sec. 26–29.
[7] Regents Instructions, 1834; 1845, p. 33–43; 1849, p. 44–59; 1853, p. 66–82.
[8] Regents Rep't, 1881, p. xiii.
[9] Manual of the Regents, 1864, p. 167–68.

the academies and report on their visits."[10] Again in 1838 at the time of the first significant agitation for uniting the two state departments, the University and the Department of Common Schools,[11] Governor Seward defined the duties of the Regents as visitors of the academies "by virtue of their office." As a remedy for the neglect of supervision in both secondary and higher schools he suggested the appointment of boards of visitors to serve voluntarily and although action was taken by the Legislature, the duties of these boards was confined almost wholly to the lower schools.[12] The Regents in 1840 and again in 1843 appointed committees to consider the feasibility of personal visits with a view to securing compliance with the University ordinances.[13] The minutes of the Board reveal considerable evidence of occasional visits, apparently usually made in the case of irregularities of one kind or another in academy administration or reporting.[14] As an indication of the attitude of the Board, it is interesting to note that when in 1847 Salem Town offered to act as a visitor of academies in towns where he was addressing and organizing teachers institutes, it was ruled that there was doubt as to whether visitors could be appointed outside of the Board.[15]

In the month following the passage of the union free school act of 1853, the Rev. Dr Luckey, a member of the Board, who appears to have done inspection service before, was appointed to visit "such academies in the northern and western parts of the State, as may be agreed upon between him and the secretary of the Board."[16] For remuneration for visitation in the years of 1853 and 1854, Regent Luckey was reimbursed at the rate of $50 and $75 a month respectively, his traveling expenses were paid and the Regents inspections were the most extensive that had been made up to that time.[17] A new interest was taken by the Board from this time on. One important factor in this was undoubtedly the fact that the reorganization of the common school department in 1854 under the headship of the Superintendent of Public Instruction gave that official the new power of visitation of the academies and other higher schools.[18] While he was even less able than the Regents to carry out this pro-

[10] Regents Minutes (MSS), 3:340 ff.
[11] Assembly Documents, 1838, no. 236, p. 17.
[12] Assembly Jour., 1839, p. 30–31.
[13] Regents Minutes (MSS), 5:296 ff., 390.
[14] Regents Minutes (MSS), 4:390, 425.
[15] Regents Minutes (MSS), 5:187. The same position is reiterated in a report of a special committee of the Board in 1856; see Regents Minutes, 6; app. 2, p. 21, 25.
[16] Regents Minutes, 6:59.
[17] Ibid., 6:59, 110, 120, 147–48, 152–53.
[18] Laws of 1854, chap. 97.

vision, successive reports discussed the additional requirement with recommendations relative thereto. These recommendations looked largely toward the creation of free scholarships with the state aid which was being given, as the best means of making the schools serve the State's purpose in aiding them.[19] Such a scheme presumably seemed both radical and undesirable to the Regents although they left no permanent record as to their official view of the matter. On January 7, 1856, a draft of the first ordinance concerning visitation was brought in by Mr Hawley and after some modification was passed.[20]

As this ordinance is unique in regard to this function of the Regents, it has seemed best to summarize its most important provisions. These are as follows:

1 Committees of the Board, with the assistance of the Secretary so far as he was able, were to visit all secondary and higher institutions at least once in every two years.

2 This visitation was to extend to all matters over which the Regents had jurisdiction and the visitor was to compare the actual state of the academy with its report of the previous year.

3 The condition of nonreporting institutions was to be made a matter of special concern and the effort made to find out whether they were extinct or not.

4 Reports were to be transmitted to the Regents and the results to be made the basis of appropriate action and of reports to the Legislature.

Under this ordinance visitations were pressed with more vigor. The Secretary's continually increased duties prevented any large activity on his part,[21] and the greater amount of this work was performed by three clerical members of the Board. In the year 1852-53 nearly all the 200 institutions within the University were visited but the labor was found to be too great to be repeated every year and it was felt that the system of reporting made it more or less unnecessary.

Before another decade had passed the Regents preliminary examinations had been put in operation to be followed in 1878 by the academic examinations, and these came to be generally considered by the Board as a substitute for personal inspection.[22] In the

[19] Sup't Rep'ts, 1853-58.

[20] Regents Rep't, 1856, p. 19-20. Cf. Regents Minutes, 6:236-38 for discussion and first draft of the ordinance. The chief modification was that of changing the obligation of visitation from the Secretary to committees of the Board.

[21] Regents Rep'ts, 1857, p. 24; 1858, p. 18; Regents Minutes, 6:232, 252-56; Assembly Documents, 1859, 1:1-3.

[22] Regents Rep'ts, 1886, p. xii; 1887, p. 249.

nterim a flood of petitions was sent to the Constitutional Convention of 1867, some favoring and some opposing the abolition of the Regents. Similar petitions were presented to the Legislature in 1870. This body sought the opinion of the Superintendent of Public Instruction but sent to the Regents the following resolution:

Resolved, That the Regents of the University be instructed to report to the next Legislature what in their judgment, should be the power of a Board of Visitation of the Colleges and Academies of the State, and whether any change in the organization of that Board is desirable to render it more effective in the supervision of those institutions.

The report made to the Legislature defined the powers of the Regents, as delegated to them from time to time by the Legislature, and held that they were as large as required by any visiting Board.[23] As far as colleges and secondary schools were concerned these powers were held to be as follows: (1) to incorporate schools under general laws, (2) to require reports, (3) to make special investigations when deemed necessary and (4) to make personal visitations through its officers and committees. It is of interest to note that these personal visits of the Board were, if made at all, not reported but two or three years longer and were renewed again only after the vigorous attack of the Governor in his message of 1887 which sought the abolition of the Regents.

In the absence of detailed statistics which are available in the Regents annual reports in most phases of academic administration, conclusions as to the results of inspection must necessarily be incomplete. In general the minutes of the Board indicate that all too scanty attention was given to the reports when made.[24] They were placed on file, and in most cases were lost in the great fire of 1911. One exception is to be made in the report of Doctor Luckey made January 13, 1854.[25] This brief statement of about six printed pages is divided into the six heads: title papers, apparatus and libraries, academy buildings, records of trustees, teachers and instruction and government, and the law library of Rochester. The appended table of visits to 105 higher institutions in the northern and western parts of the State includes one high school, the Lockport Union School. Much interesting light is thrown upon the general status of the academies, upon their comparative laxness in some matters concerning which the Regents ordinances were very definite and upon the

[23] Senate Documents, 1870, no. 82. A resolution was passed by the Board, Jan. 13, 1870, providing for the visitation of the high schools. No report has been found (Regents Minutes, 7:8).

[24] Regents Minutes, 6:64, 84, 306–9.

[25] Regents Minutes, v. 6, app. 1.

possibilities of such inspection as was made in this year. One specific instance is cited where a school failing in proper attention to the library ordinance was brought into line and two instances are cited where definite orders were made as to necessary modifications of the apparatus equipment. Later brief and very general statements in the annual reports bear out the impression that such inspection, while lacking in the rigor of modern methods and oftentimes no doubt made only at special occasions or celebrations of the school, must have reacted very favorably upon the schools which were visited. In one respect a gain was clearly made. Most of the non-reporting academies, amounting in 1856 and 1857 to about 20 per cent, were either declared extinct or caused to be revived and made to report.

The Regents annual reports from 1857 to 1874, with the exceptions of two years, give lists of the academies and colleges visited. During this period, the range of number of academies and high schools visited is from 16 to 74, with the median number at 45, out of a possible 200, indicating that the intention of the Regents ordinance that they be visited once every other year was very poorly carried out. An exhaustive study of the visits paid to high schools proper shows that no discrimination was shown in regard to them but that there was great irregularity in the number of visits paid to the different schools. Of high schools established five years or more, eight seem not to have been visited at all. One high school was visited but once in 17 years, another once in 13 years and one twice in 15 years. On the other hand, one school was visited nine times in 14 years, one six times in 9 years, and one 13 times in 18 years, counting two visits in each of 4 years. In the absence of records, it seems probable from a study of the individual schools visited most often that accessibility more than need was the source of favoritism in visitation.

Presumably the deaths, in the year 1869–70, of the veteran Regents Hawley and Luckey, who had alike favored inspection as a means of the more efficient administration of the University's functions, accounted in large part for the almost complete discontinuance of the practice. When inspection was resumed in 1882, it was in connection with the classes for common school teachers.[26] The annual report in that year noted that these classes offered a peculiar problem to the principals because of their professional nature and urged closer inspection.[27] As a result a law was secured which in

[26] For a detailed account of these classes, see Miller, G. F., op. cit.
[27] Regents Rep't, 1882, p. xxiii, xxiv.

addition to other changes in the administration of these classes specifically brought them under the inspection of the school commissioners with whom lay the final power of certification but also under that of the Regents, with the provision that the academic appropriations from the State should cover this special inspection.[28] As a result an important precedent was established of appointing an inspector from without the Board and although the classes were in 1889 transferred to the Department of Public Instruction the relationship of the University to the various institutions under its charge had been strengthened decidedly. Abuses were corrected which had arisen in the eagerness of schools to receive the bonus offered for the instruction of prospective teachers.[29] The number of visits grew from 52 in 1882 to 176, in 147 different schools, in 1888.[30] By 1886 instructions were issued to the visitors to give special attention to the library and equipment of the schools and the later reports indicate that in spite of the brevity of many of the visits, these features of academic administration were very definitely improved and at the same time the way was paved for the appointment of an apparatus inspector in 1892.[31] Furthermore, in the years 1888 and 1889 the assistant secretary and the chief examiner also made a much smaller but significant number of inspections so that charges against the Board for failure in this respect were now no longer valid.[32] There was evidence that the schools welcomed the visits of state officials,[33] so that the transition in the next decade to systematic inspection was not hard to make.

2 *Establishment of Systematic Inspection*

During this whole period, reports had been required and with each revision of the Regents instructions or University manual, modifications were made to suit the growth and changing conditions of academic instruction. One of the most significant revisions was in 1881, when a more complete set of returns was required from the schools, although the high schools, unlike the academies, were not required by law to report their financial condition.[34]

In 1890 with the new policy of extension of secondary schools under the new Secretary, the most definite effort in the history of the Board was made to secure complete and detailed statistics. In

[28] Laws of 1882 chap. 378.
[29] Regents Rep't, 1883, p. 155, 403.
[30] Regents Rep'ts, 1883, p. 115; 1889, p. 822.
[31] Regents Rep'ts, 1886, p. 11–12; 1889, p. 823.
[32] Senate Documents, 1886, no. 2, p. 23.
[33] Regents Rep't, 1888, p. 643.
[34] Regents Rep't, 1882, p. xvi.

fact at this time over 400 items were included in the annual Regents reports. Great difficulty was found in getting accurate statements from the schools and in many instances totals were quite misleading because of the large numbers of omissions. Principals were charged with lack of intelligence, carelessness, and even falseness of reports.[35] Stress was constantly laid on the fact that the report, if accurate and trustworthy, had great value inasmuch as it stood alone as a complete report of secondary schools in any state and was a valuable aid in meeting arguments of opposition, in a comparative study of schools and in the direction of state and local educational activities.[36] The obligation of accurate reporting was held to compare with that of banks, railways and other concerns receiving aid from the State.

Upon the transfer of the teachers classes to the Department of Public Instruction, Secretary Dewey began agitation for continued systematic inspection, such as had recently been inaugurated in Massachusetts. The Associated Academic Principals ratified his plans by a resolution in the conference of 1889,[37] and upon a vote of the Regents, it was brought before the Legislature. No action was taken but the Board in 1891 made an appointment for immediate work.[38]

The revision of the general University Law in 1892 incorporated this mode of supervision to the extent that inspection by a University officer was made a prerequisite to sharing in the academic funds.[39] The reason later given for such legislation was that some schools were receiving aid without conforming to the University ordinances and the legal requirements.[40] During the first year the inspectors, due to the increase of work in the examination department, were called upon to spend a large portion of their time at other work. Before the year was over, two had resigned, one to go into normal school work and one into the Department of Public Instruction.[41] New inspectors, however, were soon appointed.

Statements of the good accruing and the principles underlying the early inspection may be found in reports of the Regents and their inspectors and are as follows:

1 To ascertain whether the institutions were maintaining the required standards of equipment, teaching force and plant.

[35] Academy, 2:126; 5:496.
[36] Academy, 5:496–98; Regents Rep'ts. 1891, 1:137–40; 1893, p. 133–34.
[37] Academy, 5:30–32.
[38] Regents Rep't, 1891, p. 115–16.
[39] Laws of 1892, chap. 378, sec. 26.
[40] Regents Rep'ts, 1894, p. 165; 1895, I, p. 162.
[41] Regents Rep't, 1892, p. 121 ff.

2 To inspect classroom work and study its scope and quality.

3 To give friendly criticism with a view to correcting found defects.

4 To enable schools to profit by satisfactory experience in other schools.

5 To establish more sympathetic and close relations between the University and its various schools.

6 To explain the rules and regulations of the Regents and to give explanations, particularly of the examinations which were radically modified in 1890.[42]

Results are not easy to measure, except in the number of institutions visited. This slightly exceeded 100 in the first year and gradually increased until in 1895 it was announced that for the first time all the institutions were visited. Shortage of help in this department made it impracticable for the inspectors to make but one visit a year and these visits in 1895 averaged less than a day in length. Many schools were found to be failing to meet the requirements in equipment and buildings, libraries were found generally unavailable for pupils' use and apparatus was ill assorted and often in a state of decay.[43] Inspectors reported, however, that they found an excellent spirit of cooperation in remedying the deficiencies and that they were welcomed back. Sometimes special meetings were held where the inspector might have full opportunity to make explanations concerning the Regents rules and ordinances. The more than doubling of the number of institutions in this decade and the need for the use of well-trained men in other departments than inspection made it impossible for the inspectors to keep up with the needs. If the more or less hostile reports of the inspectors of the Department of Public Instruction were taken at face value, many very inadequate high schools were passed by and the Regents ordinances were observed but little better in the majority of schools than before. However, Secretary Dewey continued to urge this work as one of greatest importance,[44] and by 1894 it was made an independent division of the executive department, responsible for a written report based on personal inspection of every institution in the University at least once each year.[45]

By this time inspectors came to be required in examinations and other work only during vacations. They met once a month and

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[42] Regents Rep't, 1892, p. r21; 1895, p. 200–2. Cf. revision in Regents Rep't, 1903, p. r28.

[43] Regents Rep't, 1891. p. r16–17.

[44] Regents Rep'ts, 1891, p. r15–18; 1892, p. r21–26; 1893, p. r26–33; 1894, 1:r138–163.

[45] Regents Rep'ts, 1894, p. r139; 1895, 1:r62.

compared notes and at all times the office kept in touch with them through a daily report and through the sending of all University literature to them. The inspectors were provided with a four-page form for detailed reports on the following topics: grounds, buildings, library, apparatus, teachers, pupils, course of study, student organizations, opinions of teachers and general remarks.[46] In addition a beginning was made of the specialization of inspection, one inspector devoting his time to science.[47] His work in repairing apparatus, directing teachers in making repairs and arousing the interest of boards of education to increase the facilities was the most appreciated and most frequently commented upon in questionnaires sent out by the Regents. It was estimated that in a period of a little over a year, $12,400 were saved, or about five times the cost to the State.[48]

The natural result was an extension of the number of inspectors and improved methods of inspection. Honorary inspectors were appointed in 1894 largely from the faculties of the colleges and universities. Their services were paid by the schools visited. Two years later the paid service was so extended and so specialized that there were on the staff seven inspectors, including a literature inspector, a composition inspector, an apparatus inspector, while there were urged a drawing and a science inspector.[49] The first specialization we noted grew out of recognized laxness in the schools in providing the required scientific apparatus; the appointment of the inspectors in English resulted from a concentrated effort to improve the teaching of that subject. Interest in drawing had been increasing rapidly and Massachusetts was at this time providing out of seven state agents or inspectors two in drawing alone.[50] A large amount of the time of the inspectors was devoted to special calls from principals, trustees and teachers and the point of view was now taken by the Regents that the inspection ought to be specialized for the best and wisest investment of salaries and time.[51]

Their work was by no means limited to the actual visits upon the schools but much help was given through correspondence and in consultations at the various state meetings of teachers.[52] The ex-

[46] Regents Rep't, 1894, p. 1141–3.
[47] Regents Rep't, 1893, p. 227–31.
[48] Regents Rep't, 1894, p. 1146. Cf. Regents Rep'ts, 1893, 1:126–31; 1899, Rep't H. S. Dep't, 1:362–66.
[49] Regents Rep't, 1897, 1:237–39.
[50] Regents Rep't, 1897, 1:225.
[51] Ibid., p. 238–39.
[52] Regents Rep'ts, 1897, 1:148; 1899, Rep't H. S. Dep't, 1:359.

tremely rapid growth of small high schools and the classification into four grades, led to a new need of inspection, namely, to decide whether schools applying for admission had the requisite equipment for admission and whether those seeking an advanced grade had made the requisite changes therefor. In 1896 seventy applications for admission were made and two or three visits were made to each so that the full time of one inspector was taken for that work.[53] In spite of this care, for the next few years large numbers of schools were reported deficient in library and apparatus. The Regents, however, passed numerous supplementary ordinances prescribing the minimum equipment, teaching force and number of pupils.

As early as 1892, the opinion was ventured in the inspection report that "no better instrumentality for the betterment of schools exists than inspection."[54] After the examination revision of 1895, in which encouragement was given for the longer and better balanced courses of study, inspection came to be recognized more and more as an essential feature of the system and one without which state aid and state syllabuses might accomplish very little either in raising the standards of individual schools or of the system as a whole.

Perhaps the most elaborate reports of inspection are those for the years 1897 and 1898.[55] It was at this time that the premium was so far placed upon inspection that if two University inspectors held that the standards of local examination for entrance into an academical department were higher than the requirements of the examination for the preliminary certificate, entering pupils might be counted in the distribution of state funds without that certificate. While the report of the former year insisted that the records of this work must necessarily be largely qualitative rather than quantitative, yet detailed statements are given under each of the general heads of the forms in use. During the former year 758 visits were made in spite of the fact that a considerable amount of the time of the inspectors was as in former years devoted to preparing and reading the examinations. This practice was held to be valuable not only to the school but also to the examination and inspection departments through a better understanding and adjustment of the various types of work to each other and to the needs of the schools.[56]

Many interesting facts and suggestions were made in these reports. (1) Libraries were found to be very inadequately cataloged

[53] Regents Rep't, 1897, p. 149.
[54] Regents Rep't, 1893, p.126.
[55] Regents Rep'ts, 1898 1:186–96; 1899, Rep't H. S. Dep't, p. 355–66.
[56] Regents Rep't, 1901, Rep't H. S. Dep't, p. 117–18.

and sometimes locked up. Accession books and greater wisdom in the choice of books were the most common needs. (2) Schools on the whole had required the requisite amount of apparatus but it was greatly out of repair and without cases for its protection. (3) Special inspection of science and the more rigorous examination in English were resulting in more attention to these subjects and subsequently would react upon the teaching staff. In science the tendency was away from the short textbook course. (4) The teaching staff was gradually improving so that there were a number of schools where only college graduates were employed and others where special fitness for the subjects to be taught was considered. It was recommended that a special certificate for academic teachers be required. (5) Great variety was still found both in the admission requirement of various schools and in the requirement for graduation and the suggestion was made that, with allowance for individuals, the Regents preliminary certificate and academic diploma be respectively made the general standards. (6) The work in the classification of schools was reported as probably the most valuable single influence upon secondary education. Opposed to the danger of the small schools attempting too much, facilities were now being brought to many small villages and 190 schools of the two lower grades were caring for 7988 pupils who otherwise would have had no opportunity for secondary education. (7) Courses of study were feeling the influence of the Committee of Ten report and other studies and were clearly becoming standardized and better balanced.

These items continued to appear in the annual reports and progress was indicated and recommendations were made along these several lines. But new obligations were added with each syllabus revision. The most important work following the 1900 syllabus was that of accrediting courses in science. The new requirement was printed in a circular to the principals and read as follows:

> A laboratory course previously approved by an inspector, with notebook certified by the principal, may receive 20 credits toward the examination, in which case only eight questions are to be answered. An approved laboratory course must consist of at least 70 exercises a year, 35 a half year, of at least 40 minutes each, and the school must provide adequate facilities and supervision for individual work. Schools wishing their laboratory courses approved should file as early as possible a request to that effect.[67]

The premium placed upon relief from one-fifth of the regular examination caused 237 schools to apply for the approval of courses

[67] Regents Rep't, 1902, Rep't H. S. Dep't, 1:18.

and 180 courses were definitely approved in physics, botany, zoology and chemistry. The values of this new step were clearly seen to be the increase of pupils in science, the larger emphasis on laboratory work and the attempt of a large number of schools to remove their deficiencies of equipment. On the side of the state administration it represented a definite acceptance of the principle that inspection might displace examinations as a means to determining the adequacy of the standards of the schools both in matters of equipment and courses of study.[58] But one visit a year was possible as late as 1904; yet, because of the frequent changes in numbers of teachers and pupils and in the equipment, the approval was granted for one year only.[59] In 1903, 329 applications were made for the approval of courses and 261 were granted. The Regents summed up the effects of the method as follows: "better rooms for laboratories, facilities for individual work, insistence on the preparation of good notebooks by the students and adequate supervision of the work while it is in progress."[60] Printed instructions concerning the approval of courses were supplemented with detailed suggestions concerning the method of keeping notebooks, the amount of time to be devoted to laboratory work and the minimum equipment for each science.

With the amalgamation of the University and the Department of Public Instruction in 1904, came the establishment of a single system of inspection. The meager reports of the next five years indicate a tendency to give the larger amount of attention to the elementary schools and to problems of the more adequate correlation of the elementary and secondary systems, a matter which had been very much neglected. With the aim of fostering local independence in supervision and therefore of attending less to matters of detail than hitherto, it came to be felt by the State Department that the great problem centered in more definite and intelligent supervision by the principals.[61] The provision at this time for professional certificates of secondary teachers and the rising standards of the profession have recently removed many of the minor needs of state supervision. However, the work of the inspectors has been more highly specialized from time to time, and the tendency has grown to secure through inspection results formerly sought through examinations.

[58] Regents Rep't, 1901, Rep't H. S. Dep't, 1:118. Cf. Regents Rep't, 1899, Rep't H. S. Dep't, 2:333.
[59] Regents Rep't, 1904, Rep't H. S. Dep't, 1:112–14.
[60] Ibid., p. 113.
[61] Ed. Dep't Rep't, 1911, 1:109.

Summary and Conclusions

1 During the first century of the history of secondary education in New York, visitation or inspection of the schools by the University was carried on irregularly and sporadically. For the most part, members of the Board went on short trips to nearby schools or attended the more important school events. An exception should be made in regard to the period from 1853–74 when visits were made more frequently and some definite results were obtained, particularly the determination of the status of a large list of non-reporting schools.

2 During the first three-quarters of this century it was believed that much the same purpose was served by the detailed annual reports of the schools which were summarized in the annual Regents reports. From 1864 on, the Regents examinations were agreed upon as an adequate substitute for inspection, especially as the detailed reports were still required.

3 The experiment was made in the eighties, however, of appointing an inspector from without the Board for the teachers training classes in the secondary schools. Soon after this work was shifted to the Department of Public Instruction, but in 1890, general inspectors were appointed. The step was favorably regarded by the schools as well as by professional people in general and rapidly was extended and differentiated, beginning with inspectors in natural science and English.

4 More recently many of the functions formerly served by reports and also by examinations have been definitely cared for by inspection. The policy of the past ten years is clearly one of making the effort to put this department on a basis of expert supervision and of making it a means to directing also the supervisory duties of secondary school principals.

Chapter 7

Summary of Conclusions: Interpretation of Tendencies

1 *Educational Conditions and Influences of Period Prior to Rise of the High School*

In chapter 1 the more pertinent educational tendencies up to the middle of the nineteenth century were traced in some detail. A brief summary is given here as a basis for further interpretations and conclusions.

a Public Secondary Education in Colonial New York

Unlike Massachusetts and, to a lesser extent, the other New England colonies, the Latin grammar school never flourished in New York. At least three attempts made by the Dutch to establish such public schools, were very short-lived and two similar attempts by the English in the first half of the eighteenth century were no more significant in creating an educational tradition. All these schools were limited to New York City. In the case of the Dutch the dominance of trading interests and the continual state of war with the Indians, and in the case of the English the acceptance of the voluntary principle, accounted in large part for this lack of provision of secondary educational facilities. In addition two other factors were significant: (1) the lack of the stimulus of higher educational facilities such as those afforded by Harvard and Yale in New England and by William and Mary in Virginia and (2) the essentially commercial and practical needs, especially of the metropolis, such that private schools, in which were taught navigation, surveying, arithmetic and the like, were in greater demand.

b The Place of the Academy in New York Education

Contemporaneously with the establishment of peace at the close of the Revolution, the recently founded King's College was rehabilitated and the academy system was initiated under the Board of Regents of The University of New York State. This conception of a nonteaching, supervisory university may have been derived from reform ideas projected in France at this time.[1] The academies grew in numbers so rapidly that by 1820, 48 had been incorporated; by 1830, 48 more; and by 1840, 114 more; and by 1850, or contemporaneously with the first high schools, 76 more, a total of 286.[2] Of these, somewhat more than one-half were reporting in 1850 and per-

[1] Sherwood, S., The University of the State of New York.
[2] See table 1; cf. Inglis, table 2 (for Massachusetts).

haps a third had never been founded or were defunct. Even at that the growth in numbers of schools and pupils was truly phenomenal, as was also that in the teaching staff and financial status.[3] From this point on there was a decline correlative with the rise of the high school, except for a period of acceleration subsequent to 1885 due to the incorporation of Roman Catholic academies and commercial schools.[4] By 1875 the numerical superiority of the high school over the academy was established both as regards schools and pupils.[5] The educational leadership of the State in secondary education, however, may scarcely be said to have passed to the high schools for a decade or so more, due to the persistence of the academy tradition, the permanence of the stronger schools and the high quality of scholarship and ability of a few academy principals.

The State's encouragement of the academies through aid, the definition of standards and the actual incorporation into the University, made them to all intents and purposes public institutions, except that on the whole local support and control were vested in self-perpetuating boards of trustees. Their contributions to theory and practice in New York education, which bear upon this discussion, include the following: (1) a conception of secondary education as preparing directly for various life callings, including, in the earlier part of the century, the professions; (2) specialized training for teachers of the lower schools, the earliest development in any state of secondary courses preparing directly for this work; (3) a diversified curriculum, not well organized but including a wide range of materials in sciences and languages; (4) the practice of extending equivalent educational opportunities to girls so that for practically a century their number has been in excess of that of the boys in New York secondary schools; (5) the devotion to secondary education of a large sum of money mainly in buildings and equipment, which were transferred to the high schools upon their merging;[6] (6) a local tradition of higher education extending out into the rural communities in many cases, making the transition to the high school in some cases difficult and in others easy; (7) the view that the full establishment of a secondary school involved formal recognition by the Board of Regents and admission to the privileges of the University.

It must, however, be clearly stated that the successful working of

[3] See table 2.
[4] See table 12, and graph introducing Part II.
[5] See table 14.
[6] See table 11

the academy system made its intrenchment in some respects inimical to the development of the high school. The insistence by the Regents, as late as 1900, that they were public, and not private, institutions and that in all respects they should share equally in all academic appropriations operated alike in their persistence as a system and in the final knitting up of the elementary and secondary systems. The generic name academies is still used in legal and other state documents to cover the whole field of secondary education and that of academical departments to denote the high school, but the old-line academy had largely accomplished its work by 1875–80.

c The Development of the Elementary School

The so-called common school system feebly initiated in 1795 was really established in 1812 about a quarter of a century later than the University and was placed under a different jurisdiction until 1904. The lack of articulation between the two systems and the slow progress of centralization in the lower schools, particularly from 1821 to 1854 when administered by the Secretary of State, were definite factors in the tardy extension of common school studies into the secondary field, cooperating with the complete lack of a continuous tradition of public school education in the colony and state. This extension of studies did begin to become significant in the forties after the increased state aid through the United States deposit fund. This tendency was reenforced by voluntary and official encouragement, at this time of culmination of the "educational revival" in the State.[7]

Of great significance was the recognition of the failure of the district system with its decentralizing tendencies and its placement of the premium upon small classes, poorly prepared teachers and inadequate equipment. To some extent the town school commissioners stemmed the tide but simultaneously the conception of the union school district arose, probably brought in from Massachusetts, and proved to be the general method of solution of the difficulty. By 1845 numerous villages had adopted this method in part or whole, finding that economy supplemented efficiency and in 1853 the union school act was passed. This act with subsequent revisions provided a unique form of organization which was supplemented only very recently with the long-advocated township system. Provisions of this law facilitated at once the improvement of the lower schools, the establishment of academical departments or high schools and the absorption of the academies therewith.

[7] See table 5.

2 *A Comparative View of the Establishment of High Schools: Distribution of High Schools and of Pupils*

a The establishment and admission of high schools. As previously stated, the study of local records has been comparatively impracticable because of the number of high schools, approximately seven hundred, and of academies, between five hundred and six hundred, which were little less significant for the study, as their history indicated tendencies toward a more completely public form of education. The body of special and general legislation for a century and a third, and the legal documents for a considerable part of this same period, were studied in detail. In addition the school reports of the cities were studied for a period from about 1840 to 1860, at the time of initiation of high schools in most of them. The data that were more largely used and which fitted best the general purposes of this study were found principally in the annual and special reports of the Board of Regents and the State Superintendent, and the minutes of the former. On the whole therefore the dates assigned to individual schools do not indicate the first offering of higher subjects or the initial steps of organization, but the actual admission into the University, which was so generally considered desirable that most schools sought it as soon as organization was at all complete. In fact in the periods of most rapid growth from 1865 to 1875 and in the nineties, it was a matter of grave concern to the Regents, particularly without means of inspection in the earlier period, to prevent schools with inadequate equipment from entering the University. Specifically therefore the establishment of a high school means that, under the direction of the school trustees or a board of education and usually with the type of organization known as the union school, provision was made by the community for higher or academic studies and for a library and apparatus, all subject to the ordinances and requirements of the Regents, and that therefore the school was entitled to the various privileges of the University, the most coveted of which was participation in the distribution of state funds.

With this more or less definite standard we find that no high schools were established before 1845, only 2 before 1850, but 21 by 1860, but that from 1855 on, that is, with the passage of the permissive union school law providing a form of organization and admission, growth went ahead at a fair rate. The phenomenal growth in the nineties when one-half of the total number of schools was admitted was, as seen in table 21, paralleled by a corresponding de-

velopment in the country as a whole but was accelerated in New York by a policy of encouragement of less than three-year and four-year high schools.

TABLE 21

Comparative statistics of establishment of high schools in New York and elsewhere

	FROM U. S. COMMISSIONER'S REPORT [1]			CORRECTED	
	United States [2]	Mass.	New York	New York [3]	Mass.[4]
Before 1820	.....	3	1	.....	.....
1821–1830	7	2	4	.....	3
1831–1840	14	6	6	.....	15
1841–1850	43	26	9	2	29
1851–1860	108	41	23	19	65
1861–1870	177	27	28	64	.....
1871–1880	479	28	45	89	.....
1881–1890	829	12	52	72	.....
1891–1900	1 320	22	188	349	.....

[1] For 1904, 2: p 1782–1989.
[2] Compiled from same source, by Dexter, History of Education in the United States, p. 173, dates given being 1820–29, 1830–30, 1840–49, etc.
[3] See table 12.
[4] See Inglis, op. cit., p. 46.

b Comparative view of rise of high school in New York and elsewhere. From table 21 certain conclusions may be drawn: (1) the relative accuracy of the data as reported by individual schools in the Commissioner's Report in indicating the trend of high school development but the relative inaccuracy as to the numbers of schools for a given state during any period of time, (2) the smallness of the number of schools for the whole country such that the sum of the corrected numbers for two states was by 1860 but little short of the total reported for the whole country, and (3) a considerably earlier development in Massachusetts than in New York.[8]

The general conclusion is that any statements available as yet concerning the number of high schools previous to the Civil War or to 1850 are estimated too low.[9] For example, Dexter finds but 17 high schools previous to 1850 while the writer, by supplementing Inglis's findings in Massachusetts with a study of scattered records, finds no less than 60, of which New York furnished but 2. Moreover, of the twenty schools listed in the Commissioner's Report for New York for the period, only one appears to be reported for the right year, and three others are within a quinquennial of the accurate

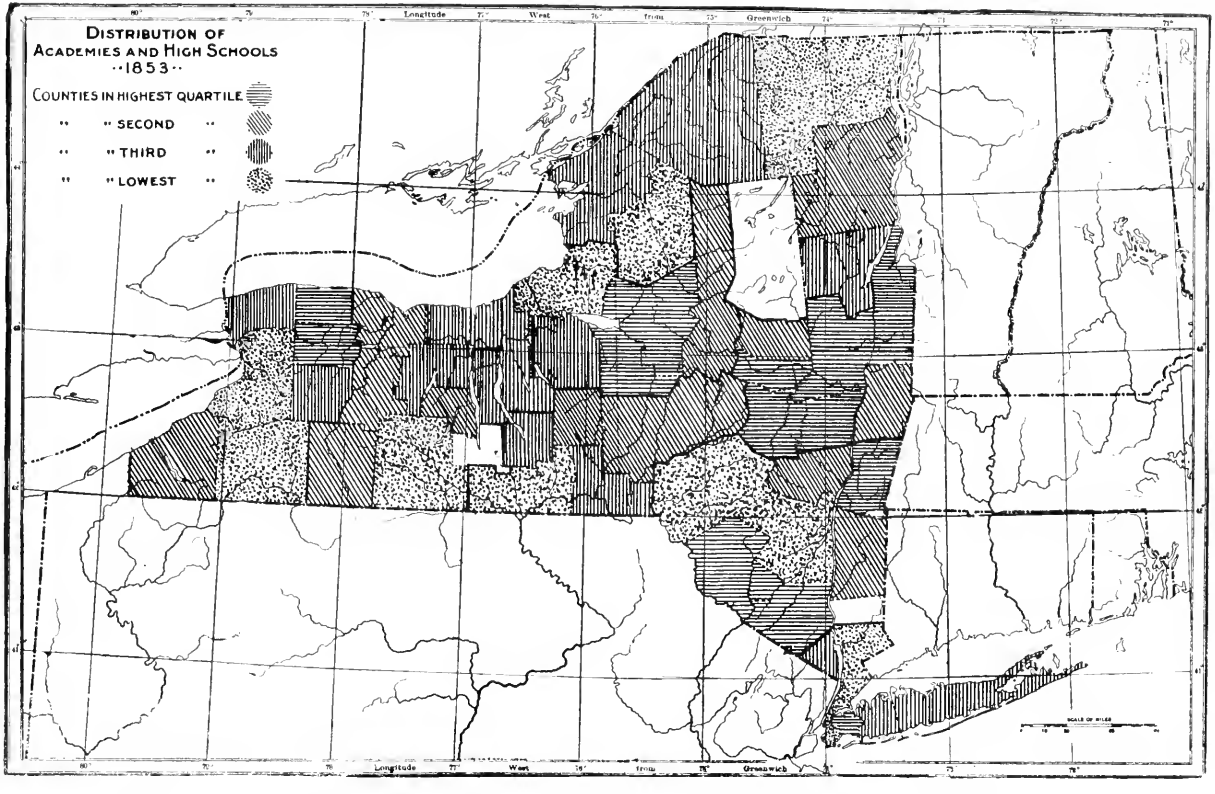
[8] Cf. Inglis, p. 155; table 35 for Ohio.
[9] Cf. Inglis, p. 154–56.

date, the reference apparently being to some special law. The remaining dates are those of the establishment of an elementary school or system, or of a local academy, so that the dates given do not correspond, one being a whole century too early. Of 23 schools reported to have been established in the fifties, only 8 are reported approximately correctly but in the next decade, out of 28, 22 are so reported. As regards the corrected column in table 21 it should be added that Inglis regarded but 68 of the 112 schools established before the Civil War in Massachusetts as bona fide high schools,[10] while of the 595 New York schools, 565 reported to the Regents in 1900.

c Distribution of schools and pupils. In Massachusetts, both the Latin grammar school legislation and the early high school legislation had made the establishment of these higher schools compulsory upon towns having a certain population. In New York, without mandatory legislation, there was great irregularity in the distribution of schools. In the year of the passage of the union free school act in 1853, four counties had no high schools or academies and this remained true of Hamilton county, as also of New York county, after the Free Academy became a college, until practically the century's end. The distribution in 1853 was such that aside from the counties without secondary schools, the great majority had from one to four schools. The median number was 3, and the highest number was 13. Each section of the State was characterized by a diversity of secondary school facilities but the counties of the Upper Hudson and the Mohawk River valleys ranked highest and the northern and southern counties ranked lowest. (See map, frontispiece.)

The result was that facilities varied to such an extent that one county had a reporting secondary school for every 5000 inhabitants and one, New York, had only one for every 140,000, with the median at approximately one for every 13,000. The average for the State as a whole with about 200 academies was one school for every 16,000 or if the actual number of academies reporting year by year be taken, one for every 19,000. Naturally this general view needs to take into account the diversity of size of these schools such that a number reported 15 to 20 pupils while one reported 811. Over half, 87 out of 165, reported from 50 to 150 pupils; 44 per cent reported less than 100 pupils, 66 per cent less than 150 and all but 17 per cent less than 200. The ratio of pupils to the population of the State taken as a whole was 1 to 100. Reference to table 14 will show, however, that not more than one-half, perhaps even

[10] Ibid., p. 153.



ACADEMIES AND HIGH SCHOOLS, 1853

one-fourth, were secondary pupils according to the Regents standards.

A vigorous protest was raised in an address before the New York State Teachers Association in 1858 against the almost complete lack of any rational plan in the incorporation of academies.[11] The argument was advanced that the determining factors should be population, valuation, area and accessibility. A comparison was drawn of two counties and the following differences were noted: one with a population of 107,749 and taxable property worth $811,193 had 22 secondary schools while another with 19,669 inhabitants and taxable property worth $2,751,172 had but one such school. This meant that with similarly adequate traveling facilities, one county had one academy for every 51 square miles and the other one for every 911 square miles. By reference to table 14 it may be seen that the number of pupils enrolled did not rise and stay at a higher figure for any length of time until 1885 and that the numbers rated as academic pupils did increase through the next decade only to fall off then and not exceed the total for 1850 for a period of forty years when the state academic fund was increased from $40,000 to $100,000.

Although successive as well as earlier reports of the Regents gave schedules grouping the secondary schools by counties, the matter of distribution of schools was left untouched until 1890 when at the beginning of a period of rapid expansion a map was published showing the location of the secondary and higher schools.[12] The schedule mentioned above was extended in the report of 1894 to include additional data and the principle was enunciated that attention should be paid to the distribution of schools by counties and groups of counties as to the establishment of individual schools.[13] An analysis of this matter in the same report showed that for the localities supporting schools and including therefore about two-thirds of the population of the State, practically 1 out of 100 of their population was in attendance in the secondary schools. Several counties exceeded this average considerably, the best being St Lawrence and Madison. The latter enrolled 3 per cent of the total population, while on the basis of local population, Yates county led with 9 per cent. Five counties ran under the average, Rensselaer, Westchester, Erie, Kings and New York, the last two having but about one-hundredth of 1 per cent in secondary schools.[14] Eliminating Kings and New

[11] New York Teacher, 8:7–8.
[12] Regents Rep't, 1891, v. 3, ff. p. 2506. See Regents Rep't, 1898, ff. p. 1190.
[13] Regents Rep't, 1894, 1:1230–41.
[14] Ibid., p. 1244.

York, the two lowest counties, the above ratio became 2.2 out of 100, a much fairer estimate, or 1 out of 180 of the total population. Valuable data was also given in regard to the taxable property and the rank of each county shown in this respect as also in population and pupils, and the percentage of pupils to local and total population. In 1898, a comparative study showed that 1 out of 11 of the public high schools in the United States was situated in New York and that the State had one Regents school for every 10,000 inhabitants while Ohio had a secondary school for every 8000.[15]

The publication of such data showed that the criticism of thirty-five years ago was now being seriously considered and, although no legislation was passed or other direct action taken, it no doubt had its influence. Regard was had by the Board, and particularly by the inspectors, of the needs of given localities. Moreover, the publication of the names of incorporated villages without Regents schools was very effective in inducing such localities to greater efforts.[16] Table 22 indicates briefly the progress made in this regard in the next ten years.

TABLE 22

Incorporated villages having no Regents schools[17]

Population	*1892*	*1902*
Over 10,000	2	5
5000–10,000	4	
2000–5000	15	
1000–2000	18	
500–1000	38	14
200–500	41	23
100–200	2	1

The Regents had in the meantime adopted a system of classification or grading of schools which resulted in the establishment in great numbers of one-year and two-year high schools. In 1903 the payment of nonresident tuition was begun, one of the most forceful arguments used being that a relatively large number, from one-fourth to one-third, of these pupils were in attendance upon village high schools.[18] The equalization of opportunity was thus probably carried as far as feasible under a permissive system. Interesting developments may be expected from recent legislation providing for

[15] Regents Rep't, 1898, 1:r82.
[16] Ibid., p. r251–54.
[17] Regents Rep'ts 1894, 1:r250; 1903, p. r15. In the latter year 203 secondary schools in rural districts were reported.
[18] Regents Rep't, 1904, Rep't H. S. Dep't, 1:r16.

two variant forms of consolidated districts, the central rural school and the township system.

In 1904, the committee on unification of the two state departments made an exhaustive study of conditions.[19] While many inadequate high schools of junior and middle rank were still found, it was evident that the Regents were pursuing a policy of elimination and consolidation which together with inspection was making these smaller schools of at least equal merit with similar schools in other states. The advantage of these schools was indicated by the lessening of distances of secondary educational facilities from the pupils. At this time it was found that 19 were less than 3 miles apart; 28 were 3 to 5 miles apart; 87, 5 to 10 miles; 35, 10 to 15; 7, 20 to 25. Their discontinuance would have meant that pupils on the average would have 9 miles to go for academic instruction.

3 *The State System of Secondary Education*

The rise of the system of secondary education in New York has already been traced briefly. It was perhaps inevitable from these beginnings in the late eighteenth century that the Regents system, including at first the academies and later both the academies and high schools, should take its place as the earliest and strongest of the state systems.[20] With the consolidation with the Department of Public Instruction in 1904, its strengths were conserved and its weaknesses to a large extent eliminated by the organization of control of the secondary schools under an assistant to the State Commissioner. The discussion that follows is in part a summary regarding phases of the state system, and in part a critical interpretation of these and other administrative methods and problems.

a Classification and standardization of schools. This subject has already been fully treated in so far as the standards set and maintained and the consequent establishment of secondary schools of the various grades. It remains to note that this means of encouragement to communities unable to give four years of work became the source of more definite rulings as to the equipment, library, length of session, and minimum number of pupils and teachers of all schools. In particular the subjects that were required for each grade became the basis of a standard curriculum.

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[19] Senate Documents, 1904, no. 25, p. 53–56.

[20] Goodwin, E. J., The New York System of Secondary Schools, in Ed. Rev., 35:491–500.

The requirements, however, as to standard equipment have been very little changed since the establishment of the ranking in 1894 and have remained practically uniform for the past two decades.[21] In another regard also the standard remains in doubt, namely the number of pupils. Out of 524 high schools in 1914, 7 had less than 20 pupils; of 108 senior schools, 24 had less than 20; of 45 middle schools, 21 less than 20; also 43 out of 55 junior schools.[22] Those having 10 or less pupils included 1 high school, 2 senior schools, 5 middle schools and 22 junior schools. It seems probable, in light of this and the fact that in other respects many of these schools are barely meeting the required standards, that some other solution might to advantage be found, as, for example, transportation to other schools where more adequate facilities could be afforded. It might be indeed doubtful whether the junior or one-year school, unless reorganized with the upper grades into a junior high school, should be considered as at all a permanent type.

b Distribution of state aid to high schools. It has been seen that state aid to secondary schools dated practically from the establishment of the University and passed through several stages. In the matter of sources of aid, appropriations became by the end of the last century to be the principal means of aid and, when the two state systems were joined, the academic funds were transferred to the general education fund.

The basis of distribution of the major part of the academic funds until 1895, was the attendance of academic pupils, measured in terms of subjects pursued first as indicated in the principal's report and later as determined by the Regents examinations. Since that time the quota of $100 has been given to all schools in recognition of the principle of need and more recently the payment of large sums for nonresident tuition has cooperated to equalize opportunity to all parts of the State. Supplementary sums are still given for teacher-training and apparatus, showing that the policy of granting special aid for special services is evidently recognized.

On the whole, it would appear that in methods of distribution more progress has been made than in the adequacy of the amount distributed which has, as in most states, not increased proportionately to the needs. Moreover, the quota operates to a certain extent against the elevation of lower grade schools into higher grade schools. Neither does the State recognize in it the ranges of taxation value nor the number of teachers employed.

[21] Ed. Dep't Rep't, 1915, p. 247–49.
[22] Ibid., 1915, p. 872–901.

c The Regents examinations and the state course of study. The various stages in the history of the examination system have been traced in some detail. Owing to the lack of adequate methods of determining what pupils should share in the annual apportionment of academic funds and to the lack of accuracy in the reports of the principals, the Regents in 1865 had hit upon this plan, which was in vogue abroad and had been used by various school boards to fix a standard of high school entrance. In 1878 high school subjects were included. It was soon discovered that the examinations proved an excellent means of improving the general status of high school work and of supervising in an impersonal way the instruction within these schools.

With this realization the Regents began to outline in more detail the content and method of courses in syllabuses which from 1890 to 1910 were revised every five years. In these revisions and also in the various supplementary regulations for the administration of the examinations, the work of the Secretary of the Board came more and more to be supplemented, first by the consensus of opinion of the academic principals of the State and later by the action of various voluntary associations within and without the State. The next and final step up to this time has been the creation of a State Examinations Board with full powers in the preparation of the examination questions and with large legislative responsibility in their administration, subject to the vote of the Board of Regents.

Within recent years, it has become evident that too much stress might easily be placed upon the examinations, and an earlier defensive position has been largely abandoned. The method of payment for results has been entirely abandoned. Elementary branches of a number of subjects are no longer examined and the placing of the correction of papers in elementary branches in the hands of the principals will undoubtedly be extended to some degree to the high school subjects. A spirit of inquiry and investigation into every phase of the problem is clearly indicated in the more recent annual state reports.

Certain other well-defined problems still maintain. For example, the interest from the time of establishment of the academic examinations in defining college entrance standards and of articulating thereby the colleges and high schools has given rise to the provision for three types of college entrance diplomas, namely in arts, science and engineering.[23] A limited range of election is allowed in each course but the inevitable would seem to be too large a shaping of high

[23] Ed. Dep't Rep't, 1915, p. 285–87.

school courses in terms of the colleges. The system of counts which was originally based on a plan of dividing the year into four quarters and which tended for a considerable period of time to promote the already established short courses, has been effectively readjusted. It remains unique, however, and apparently might well give place to such a standard as the unit of the Carnegie Foundation.[24]

In conclusion it may be asked whether the services of the academic examination in standardizing the courses of study, in articulating the secondary schools with the colleges and in providing a temporary means of supervision, may not perhaps have been so effectively rendered that the resources now devoted and the labor now involved in their conduct might well be gradually turned to other accounts, in particular supervision or inspection.[25]

d Reporting and inspection of schools. The history of these two means of state control has already been traced. The former was until 1864 the only systematic means of a semblance of state control and maintenance of Regents standards. As previously indicated the system accomplished a great deal in providing most valuable data for the comparative study of school conditions throughout the State but the examinations proved much more effective in indicating the actual status of the schools.

Annual reports are still required but since 1890 systematic inspection has gradually devolved into a most promising means of supervision. The early functions of determining the ranking of schools and of the specific inspection and repairing of apparatus have been extended until a staff of nearly a score of supervisors with special assignments has been created. As an illustration of this specialization may be cited the work of the modern language inspector whose duty it is to determine the adequacy of oral instruction for special credit to the pupils. Close contact has always been had with the Examinations Division so that the two might not be working at cross purposes and that the examinations might profit by the findings of inspectors in their visits. Similarly the status of schools, as to their maintenance of the standards of the University and their meriting of general or special forms of academic aid, is now determined by the inspectors. In this work, moreover, the University secures its most personal and vital form of contact with the schools and has its best opportunity for constructive direction of their work.

[24] Ed. Dep't Rep't, 1913, p. 121–22.

[25] See Ed. Dep't Rep't 1915, p. 36–44, for statistics and graphs indicating the relative cost to the State for salaries, and other expenses.

BIBLIOGRAPHY

The largest sources of information used in this study were the reports of the University of the State of New York, and of the Department of Common Schools, and the legislative enactments, supplemented by the documents and journals of the Assembly and Senate. Of very considerable value also were the numerous educational journals, official, semi-official, and unofficial. The following bibliography includes materials which in one way or another contributed to the study and which are in most cases referred to at some point throughout the study.

Documents

I. Legislative Documents.

Assembly Journals; 1691, 1773, 1784, 1820, 1837, 1864, 1904.
Assembly Documents; 1831, 1837–1864, 1904.
Constitution of the State of New York; 1821, 1846, 1894.
Laws of Colonial New York, I, II.
Laws of the State of New York; 1782–1916. Revised Statutes, 1829, 1836.
Messages of the Governors (edited by C. Z. Lincoln); also in Assembly and Senate Journals.
New York Colonial Documents; Vols. VII, XIV.
Senate Documents; 1845, 1870, 1886, 1889, 1904.
Senate Journals; 1793–5, 1808, 1825, 1837, 1845, 1852, 1864.

II. State Reports.

Annual Reports of the New York State Department of Education; 1904–1915.
Annual Reports of the Regents of the University of the State of New York (Regents' Reports); 1788–1904. (In this study the date of the publication of the report is used although practice for a brief period was to use the year for which the data was compiled.)
Annual Reports of the Superintendent of Common Schools, 1814–1853; Superintendent of Public Instruction, 1854–1904 (Supt. Reports).
Dix, John. Common School Decisions (1837).
Finegan, Thomas. Judicial Decisions of the State Superintendent, 1822–1914.
Letter of Commissioner Finley to the Legislature, 1915.

II. State Reports — *Continued.*

Handbook 6, Pt. 1, General Dept. Publications, 1891.
Manuals of the University; 1864, 1870, 1888.
Pratt, Daniel. Annuals of Public Education in the State of New York, in Convocation Proceedings of 1869, 1870, 1873, 1874, 1876, 1883.
Proceedings of Associated Academic Principals, 1885–1915. (vide Ed. Dept., Rept., 1915, pp. 274–5, for reference as to location of these reports.)
Proceedings of the University Convocation, 1863–1915. (Printed separately and also in Regts. Repts.)
Regents' Bulletins, in Regents' Reports.
Regents' Instructions; 1834, 1845, 1853.
Regents' Minutes; 1788–1904. (In manuscript to 1853 at State Education Department, Albany.)
Regents' Questions, 1866–1876. (Published by C. W. Bardeen, Syracuse.)

III. Local Reports.

Annual Reports of the Controllers of the Public Schools, Philadelphia, 1838–1851.
Annual Reports of the New York High School Society, 1825–1833.
Annual Reports of the New York Free Academy, 1849–1866.
Annual Reports of the Public School Society of New York City, 1806–1853.
Minutes of the Board of Education of New York City, 1848–1864.
Register of Lockport Union School, (MS) 1848–1856.
Report of a Committee appointed by the High School Society of New York, 1924.
Report of a Committee of the New York Municipal Society, 1878.

Educational Journals

Academician; Vol. I.
Academy; Vols. I–VII.
American Journal of Education; Vols. I–IV.
Annals of Education; Vols. I–VII.
Bardeen, C. W. History of Educational Journalism in the State of New York.
Barnard, Henry. Journal of Education; Vol. XXIX.
Common School Assistant; Vols. I–II.
District School Journal; Vols. I–XII.
New York Teacher; Vols. I–IV.
School Bulletin; Vols. I–XX.
School Review; Vols. I–V.

General Works

I. Education in the United States.

Aurner. History of Education in Iowa.
Cubberley. Public School Administration.
Edmunds. History of the Central High School of Philadelphia.
Griscom, John. A Year in Europe.
Griscom, John. Monitorial Instruction.
Griscom, J. H. Memoirs of John Griscom.
Inglis. Rise of the High School in Massachusetts.
Jones, D. R. State Aid to Secondary Schools.
Kiddle and Schem. Cyclopedia of Education.
Proceedings of National Education Association, 1896.
Stevens. The History of the Edinburgh High School (App.)

II. Education in New York.

Boese. Public Education in the City of New York.
Bourne. History of Public School Society.
Catalog of Lockport Union School, 1897–8.
Chronicles of Erasmus Hall Academy.
Dunshee. History of the School of the Collegiate Reformed Dutch Church in the City of New York.
Fairlie. Centralization of Administration in New York State.
Fitzpatrick. The Educational Views and Influence of De Witt Clinton.
French. Gazeteer of the State of New York, 1860.
History of Oneida County.
Hough. Historical and Statistical Record of the University of the State of New York, 1885.
Kemp. The Support of Schools in Colonial New York by the Society for the Propagation of the Gospel in Foreign Parts.
Kilpatrick. The Dutch School of New Netherlands and Colonial New York.
Longworth's New York Register.
Miller. The History of the Academy System of the State of New York.
Mosenthal and Horn. City College; Memoirs of Sixty Years.
Palmer. New York Public Schools.
O'Callaghan. Colonial History; Vol. IV.
Randall. History of the Common School System of the State of New York, 1871.
Renwick. Life of De Witt Clinton.

II. Education in New York — *Continued.*

Seybolt. Apprenticeship and Apprenticeship Education in Colonial New England and New York.
Smith. History of the Schools of Syracuse.
Sherwood. The University of the State of New York.
Sowers. Financial History of the State of New York.
Spafford. Gazeteer of the State of New York.
Swift. A History of the District in New York State.
Utica Directory; 1828, 1833.